Jammu&Kashmir
DILEMMA OF ACCESSION

A Historical Analysis and Lesson



Prime Minister Pandit Ramchandra Kak's First-hand Account of the Tumultuous Events in 1946-47

RADHA RAJAN

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KASHMIR ACCEDES TO INDIA

PLEBISCITE SOON ON RULER'S DECISION

Troops And Arms Flown To Srinagar

CONTACT WITH RAIDERS NEAR BARAMULA

MORE REINFORCEMENTS BEING DISPATCHED

Indian Army troops came in contact yesterday afternoon with the invading raiders at a point near Baramula, according to information received in New Delhi.

In response to the appeal made by the Maharaja of Kashmir [illegible] Indian troops left Delhi by plane early yesterday morning and arrived at Srinagar shortly after 9 a.m. Besides R.I.A.F. transports, a number of civil aircraft were commandeered to fly men and ammunition for the [illegible]

SHEIKH ABDULLA TO FORM INTERIM GOVT.

UNION TROOPS RUSHED FOR PROTECTION OF STATE

(By Our Special Representative)

NEW DELHI, Monday.—In view of grave emergency the Maharaja of Kashmir has acceded to the Indian Dominion. In a letter to Lord Mountbatten he declares that "the other alternative is to leave my State and my people to freebooters." He adds, "This alternative I will never allow to happen so long as I am the Ruler of the State and I have life to defend my country."



JAMMU AND KASHMIR DILEMMA OF ACCESSION

Kashmir Region

Map of Jammu and Kashmir with PoK, CoK and Tibet.

Source: University of Texas, U.S.A. https://www.lib.utexas.edu/maps/kashmir.html

Jammu and Kashmir Dilemma of Accession

A Historical Analysis and Lesson
Prime Minister Pandit Ramchandra Kak's First-hand
Account of the Tumultuous Events in 1946–47

Radha Rajan

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Foreword

In the pantheon of intellectual kshatriyas, distinguished in contemporary time by stellar luminaries such as the late Ram Swarup and Sita Ram Goel, one of the brightest stars today is Radha Rajan. Fearlessly truthful, with a razor-sharp intellect, she minces no words as her weapons in the cause of the Bharatiya rashtra. She soldiers on many fronts, and most valorously on the subcontinental battleground that is the politics of Indian secularism. Those who define us as heathens or kaffirs do so employing abrahamically self-conscious political action against us with our dhritarashtra-like sanction. It is Radha ji who makes us aware that there can be no protection of the rashtra, and therefore of the dharma, without Hindu political self-consciousness.

"Pantheon" has no antonym, but among those who wittingly subordinated the dharmic ethos to the abrahamic one, Mohandas Gandhi, inasmuch as he has been constructed into the "Father of the Nation", must surely lead the others. Many of us, at home and abroad, have pointed out his sanctimony and duplicity; such was occasionally noted by his own political colleagues too; but none has demythologised him as perceptively, comprehensively and devastatingly as Radha Rajan. Her *Eclipse of the Hindu Nation: Gandhi and His Freedom Struggle* razes the mahatma myth so assiduously built up by official and other hagiolaters.

Through a fortuitous circumstance, Radha ji came into possession of a photocopy of a paper which led her to writing this monograph. This paper is an insider's account of the events leading to the accession of Kashmir to India, the insider being the Prime Minister of Jammu & Kashmir from June 30, 1945 to August 11, 1947. His name—Ramchandra Kak, and he was also my grandfather.

No copy of this document—described by Radha ji as one of national significance—is known to be available in India. A copy is in the India Office Library in London, where it reached apparently amongst the papers of Richard Powell, the then Inspector General of Police. While it is in the public domain, obviously it is not easy to access by those in India. A scan of the original has been uploaded to the web, thanks to Lila Bhan and Radha ji, and will be readily accessible in print form as part of this monograph, courtesy Voice of India.

If Radha ji's book on Gandhi buried him, with this monograph she erects his gravestone.

But a gravestone needs an epitaph, and for the epitaph most apt for carving on Gandhi's gravestone, we need look no farther than to Gandhi's acknowledged favourite, Jawaharlal Nehru.

Fittingly Jawaharlal Nehru, because not only did Gandhi profess "a union of hearts" with Nehru but he also selected him as his own heir: "You are my son.....I have therefore named you as my heir", he wrote to Nehru in 1924. Gandhi was infatuated with Nehru, deviously positioning him to become our country's first prime minister.[1]

So, here then, in his own words, is this son and heir's pithy summation of the character, ideology and politics of the father, and here too in his own words is India's first Prime Minister's pithy summation of the Father of the Nation.

Nehru said of Gandhi:

"You know, he really was an awful old hypocrite."[2]

Radha ji's monograph centres itself around a contemporaneous account that features this "awful old hypocrite", whose hypocrisy still costs India so dearly. Both as

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[1] *Critique of Gandhi*, M.M. Kothari, Jodhpur: Critique Publications, 1996: 125–129.

[2] *Mike: The Memoirs of the Right Honourable Lester B. Pearson*, University of Toronto Press, 1973; vol.2:119. Grateful acknowledgement to Subhash Kak for this reference.

a politically self-conscious Hindu and as Ramchandra Kak's grandson, I must point out that Ramchandra Kak foresaw in 1947 that Sheikh Abdullah wanted his own independent principality, the continued existence of which would be guaranteed by the Indian armed forces and the solvency of which would be guaranteed by the Indian treasury. Abdullah's Kashmir would give nothing in return. Nothing at all. That is exactly what happened then, thanks to Gandhi-Nehru treachery. And that is how it has remained for the almost 70 years since then.

It is a tragedy for Kashmiri Pandits that the course of events which Gandhi-Nehru and the Indian National Congress initiated in J&K by deliberately raising up a Sunni seditionist against the kingdom inevitably moved to no Hindu prime minister of Kashmir to no Hindu king in Kashmir to no Hindus in Kashmir and now to no Hindu (or even non-Sunni) chief minister at all for the State since the last one about 70 years ago. It is a tragedy for Kashmiri Pandits that no Indian government so far has had the political will to even want to restore to Kashmiri Pandits the land of our ancestors.

It is a tragedy for Hindus that Gandhi-Nehru and the Indian National Congress consciously delivered over Kashmir to Hinduism's self-declared enemy which, there, has gone from strength to strength against us, dispossessing us of our civilisational heritage and roots in Kashmir. It is a tragedy for Hindus that no Indian government so far has had the political will to even want to restore to Hindus a wellspring of our civilization.

It is Ramchandra Kak who asked, "If the Jews could get back Israel after 2000 years of exile, why should it be considered extraordinary if India wanted to retain Kashmir which was already in its possession?"

The Sunnis got Kashmir because they are an aggressively politically self-conscious beliefsystem. The Jews got Israel because, all through their persecution and exile, they carefully preserved their politically self-conscious identity.

Radha ji concludes her monograph drawing a parallel to the Kaurava Court. We Hindus have forgotten the lessons of the Mahabharata. The Pandavas foolishly let the Kauravas dispossess them of everything, and when they were reduced to begging for the pittance of just five villages, Duryodhana hit back to Srikrishna (adapting it to Kashmir):

Take my message to your kaffirs, for our Sunni words are plain,
Any portion of the Koran's empire Bharata's sons seek in vain,
Nor town nor village, nor mart nor hamlet, help us Allah in heaven,
Not even a spot that a needle's point can cover unto them will be given!"[3]

It was thereafter that the Pandavas, still unconvinced, were made by Srikrishna to understand another lesson of the Mahabharata:

ahimsa paramo dharma
dharma himsa tathaiva cha[4]

In our democracy, we Hindus too must learn to exercise power as a politically self-conscious electorate.[5]

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[3] *Mahabharata*, Udyog Parva, Bhagwat Yana Parva Ch.127 (Gita Press). Here adapted from https://www.quora.com/Which-is-the-Sanskrit-Shlok-of-needle-said-by-Duryodhan-as-a-reply-to-Krishna-when-he-came-as-a-messenger.

[4] http://www.hindupedia.com/en/Ahimsa_Paramo_Dharma. Bharat's historical experience of Islam can be stated aptly with K.D. Prithipaul's "Muslims can live only as an oppressive majority or a turbulent minority" (http://www.andrewbostom.org/2008/07/ns-rajaram-reviews-the-legacy-of-islamic-antisemitism/). We must learn from Israel and, therefore, to the Golden Rule of Reciprocity I append my Rider of the Pre-emptive Strike (Do to others as you would have them do unto you—*but if you have sufficient experience of what they'll do unto you, you do it to them first*).

[5] And that includes re-learning the Chanakyaniti of sama/dana/bheda/danda (Arthashastra 1.13.25).

Nehru assumed "you know". He knew, but he did nothing to let the rest of us know, and the vast majority of us still do not. It is the intellectual kshatriya Radha Rajan who most and best demonstrates the accuracy of Nehru's assessment of Gandhi. It is she who, knowing, most and best educates us about why and how we must cease to worship this false god that is Gandhi.

The statue of Gandhi that has been erected as the so-called Father of the Nation must be demolished.

Krishen Kak

PART 1

The Imperial Objective of the Partition of India and Imperial London's Plan for Kashmir

Background

In August 2016, I received what I realized with incredulity was a photocopy of the private note of Rai Bahadur Pandit Ramchandra Kak, Prime Minister of Jammu and Kashmir between June 30, 1945 and August 11, 1947. The person who sent me the photocopy chose to be anonymous and I can only presume he or she sent it to me after reading a spate of articles I wrote about the State in July-August of that year, perhaps hoping that this first-hand account of the tumultuous events in 1946–47, written in the third person by the then Prime Minister of Jammu and Kashmir, would be made known to the country.[1]

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[1] I have cited *Collected Works of Mahatma Gandhi* (CWMG) and V.P. Menon's *Integration of the Indian States* when needed, to give a complete picture of an issue raised or cited by Prime Minister Pandit Ramchandra Kak in his narrative. Such cross-references besides providing interesting points of view on the same issue also corroborate Pandit Kak's narration. Since V.P. Menon claims he played a significant role both as Constitutional Adviser to the Viceroy and as Secretary of the Ministry of States under Sardar Patel in integrating the Princely States with the Indian Union, his record of the history of the times in his book I*ntegration of the Indian States* is treated as primary source of history as is the CWMG.

"From this date (September 1939) up to the transfer of power on 15 August 1947, I have given a detailed narration of events as I witnessed them. In one capacity or other, from 1917 I was continuously associated with the constitutional developments in India. From 1942 till the transfer of power in August 1947, I was Constitutional Adviser to the Governor-General." (V.P. Menon, Preface, *The Transfer of Power in India*, Orient Blackswan Private Limited, 1957)

I read the 22–page document titled "*Jammu and Kashmir State in 1946–47—Dilemma of Accession—The Missing Link in the Story*" with a seething sense of disbelief. The document, despite the severely illegible and generally poor quality of the copy was, I soon realized, a veritable treasure of suppressed names, facts and events which eventually decided the fate of Jammu and Kashmir. The policies adopted by Gandhi, Nehru and the Indian National Congress with regard to the Princely States and especially with regard to the State of Jammu and Kashmir made the geo-politically important frontier state and the newly created jihadi state of Pakistan a festering, dichotomous thorn in the country's body politic. Imperial London sent Mountbatten as India's last viceroy in March 1947 with the sole intent of implementing two far-sighted geostrategic objectives—to create the virulently hostile Islamic state of Pakistan which would exist as a permanent threat on two sides of India's national borders (on the east and on the west), and to create an independent Muslim-ruled state of Jammu and Kashmir, or better still, Jammu and Kashmir as a Pakistani satellite state. The choice of Mountbatten, who was Chief of Combined Operations and Supreme Commander, South East Asia during WWII with tremendous war experience behind him, as the last viceroy who would oversee the empire's retreat from India with little or no cost to Britain, was no accident.

"Here was a State with the biggest area in India, with a population predominantly Muslim, ruled over by a Hindu Maharajah. Lord Mountbatten knew Sir Hari Singh well, having been on the Prince of Wales' staff with him during His Royal Highness' tour in 1921–22." (*Integration of the Indian States* by V.P. Menon, Orient Longman Ltd, (1956) 1999, page 451)

"After the decision to send the Cabinet Mission, the decision to send Lord Louis Mountbatten as Viceroy of

India when political independence seemed increasingly imminent, was the second masterstroke by the British government. It is clear from Gandhi's public statement on the eve of the Quit India movement in 1942 that he was well aware of events in the nations of East and South-East Asia—in Malaya, Indonesia and Burma during World War II, when Japan was gaining ground and the Allied forces were engaged in fierce battles to keep their colonial empires intact in the region. We know that Gandhi met Indonesian sailors in Madras in January 1946[2] and that he was aware of Mountbatten's role in Britain's decision to sabotage Indonesia's fledgling independence; and after the defeat of Japan, it was Mountbatten as head of Southeast Asia Command, who directed the liberation of Burma and Singapore.

Mountbatten's role as Supreme Commander, South East Asia, entailed a stint in Indonesia too and during those critical months he enabled the return of Indonesia to Portugal and Netherlands. As Britain withdrew from Indonesia, Mountbatten broke the country into several parts, leaving each part simmering in political chaos. After re-taking Singapore, Mountbatten's first act was to order the demolition of the war memorial honoring slain heroes of the Indian National Army (INA). The INA War Memorial at Singapore to commemorate the "Unknown Warrior" was started on 8 July 1945 at Esplanade Park. It was razed to the ground by Mountbatten's allied troops when they re-occupied the city. [Subhash Bose, who posed the biggest threat to the British government in India and to Nehru's political ambitions, had to be pulled down from his pedestal literally and figuratively. Demolishing memorials, war memorials and other

[2] *Talk with Indonesian Sailors*, Madras, After January 21, 1946, CWMG, Vol.89, page 280.

revered symbols of defeated peoples is habitual Christian triumphalism, as is desecrating the tombs of the rulers of conquered peoples; when Mountbatten and his men destroyed the war memorial of the Indian National Army they were driven by the same Christian conquestorial intent; Hindu tradition in statecraft has a name for them—*asuravijayi*.]

Gandhi knew this, and yet Gandhi did not protest when Mountbatten came to India as Viceroy. Gandhi's, and by extension the Indian National Congress' acceptance of Mountbatten as last Viceroy facilitated imperial London's plan to vivisect the Hindu bhumi, and gave Mountbatten the rare opportunity to fulfill Britain's second most important strategic intent after partition, namely, the West's control of the critically important territory of Jammu & Kashmir, through the agency of the United Nations." (*Eclipse of the Hindu Nation: Gandhi and his Freedom Struggle*, Radha Rajan, NAPL 2009, Chapter 6)

1. Mountbatten, in a repeat of Indonesia, wanted to retreat from India leaving behind chaos and anarchy while V.P. Menon takes credit for his Plan recommending partition

In V.P. Menon's words—

"Mountbatten arrived in India in March 1947. There had already been serious disorders in East Bengal and later in Bihar and trouble was spreading to the Punjab and the NWFP. Mountbatten in the circumstances decided that the time scheduled for the transfer of power must be shortened. He also realized that there was no prospect of progress through the Cabinet Mission Plan. He therefore made his own plan and sent two members of his staff to London to present it to the British Government. This was to transfer power to the provincial governments, leaving

them to come together to form a central government, if and when they chose to do so. The Princely States, released from Paramountcy, would also be free to make such arrangements as they wished in these circumstances.

I was familiar with all that had been decided and was strongly opposed to this solution....In the circumstances of that time, with people in a state of great commotion, many of them armed, it was an invitation to sheer anarchy. I had long before come to the conclusion that, in actual practice, the Cabinet Mission Plan would not work, and had sketched an alternative and had obtained Sardar Patel's approval of it. **After ascertaining Sardar's reaction, I sent the Plan to India Office. This Plan was that partition, including the partition of the Punjab, Bengal and Assam, should be accepted first and the two central governments of India and Pakistan, should come into existence, each being responsible to its Constituent Assembly. India should then agree to accept Dominion Status.**" (*Integration of the Indian States*, pp.xl–xli) [Emphasis added]

That Mountbatten knew Maharaja Hari Singh since the 1920s was the single most influential factor which sent Mountbatten to India as the last viceroy. As Supreme Commander, South East Asia during the Second World War which had just ended, Mountbatten would have been in possession of military intelligence (MI) with regard to the State of Jammu and Kashmir and its Hindu ruler. MI5 would have also been in possession of tactical intelligence on Sheikh Abdullah, Gandhi, Patel, Nehru and other leaders of the INC and the Muslim League, besides useful names in the civil services and even outside it.

"Mountbatten often found that he and VP had an understanding of each other's mind. Talking of India joining the Commonwealth, he [Mountbatten] told his

interviewers that on this issue, he grasped every straw in the right direction. As he put it, **'whenever I could see any opportunity....Krishna Menon on the one hand for Nehru and V.P. Menon, on the other hand, for Patel, who were the two people that mattered, I suddenly found falling in more and more with my own feelings about things.'** He considered both Krishna Menon and V.P. Menon 'not leaders in any sense of the word at all, but they were my links with the leaders.'

At one point Mountbatten described Krishna Menon and V.P. Menon as his "spies" but then corrected himself, saying, 'Spies is the wrong word. They were my contacts, my links...'

V.P. Menon, he confessed, he took everywhere, always. When Nehru exploded over the Mountbatten Plan which he considered would lead to the balkanization of India, it was to VP that the Viceroy turned. As he told his interviewers, 'The great thing about the rejection of that plan was that the next plan was so much better and this gave V.P. Menon a chance to put up the idea.

I took VP to meet the King in Buckingham Palace and he nearly passed out with pleasure—he never dreamt he was going to meet the King. I remember when he came in. He simply trembled, and was white with emotion, at meeting the King-Emperor himself.

(The King) said very nice things to him. 'I hear you've been the greatest possible help to His Excellency and I'm grateful to you.'" (*Integration of the Indian States*, pp.xlviii–xlix) [Emphasis added]

Mountbatten was well-armed for all contingencies when he came to India in March 1947; within three months of coming to India, ably assisted by V.P. Menon his Reforms Commissioner and Constitutional Adviser, Mountbatten, by June 1947, had reduced the INC's Hindu nationalist

movement for political independence under Tilak's and Aurobindo's leadership, to having to choose between anarchy and Dominion Status.

2. **Why was/why is the territory of Jammu and Kashmir (Riyasat-e Jammu wa Kashmir wa Ladakh wa Tibet ha) so important in British and Muslim geopolitical calculations?**

   "The British government's farsighted move to paratroop Gandhi from South Africa to India yielded spectacular results; the nation was vivisected and **Mountbatten succeeded in leaving with Pakistan the critically vital territory of the kingdom's northern areas which adjoined not only Afghanistan and China but also had a small but geopolitically important border with Central Asia.** Mountbatten knew that Pakistan would be forced to gravitate into the western orbit for American and British aid in the economic and military spheres to keep abreast of India's abundant natural resources and proven native genius; and that was the West's leverage with the newly created Islamic state of Pakistan to control the territory overlooking China, Afghanistan and Central Asia. And what remained with India of the Kingdom of Jammu, Kashmir, Ladakh and the Tibets, after Pakistan's invasion and occupation in October 1947, Mountbatten nudged Nehru to take it to the United Nations Security Council." (*Kashmir's Jihadi Cauldron: Gandhi, not Nehru Lit the Fire*, Radha Rajan, July, 2016, Vigilonline.com)

   "At the time of the partition, the State had important international boundaries. To the east was Tibet, to the north-east lay the Sinkiang province of China and to the north-west was Afghanistan. A tongue of Afghanistan territory, Wakhan, is north of Gilghit and is west of the

Map of India, 1921.

Source: Census of India 1921, Volume XXII Kashmir, Part I Report, Lahore 1923, p.64

main route from Gilghit to Kashgar over the Mintaka Pass; a few miles beyond lies Russian Turkestan." (*Integration of the Indian States*, pp.449–50)

3. Seeds of secessionism in J&K were sown in 1938 and the seeds of Pakistan sprouted in 1940

Soon after World War II broke out in September 1939, Viceroy Linlithgow unilaterally announced that India was at war with Germany and after the announcement met Gandhi, Jinnah and the Chancellor of the Chamber of Princes separately, seeking their co-operation in the war effort. The Congress Working Committee (CWG) passed a resolution resisting the idea that an imperialist war could be imposed on India against the wishes of her people. In a hasty and short-sighted move, Congress governments in eight provinces resigned in protest in October 1939. Elections to the provinces in British India were held in November 1936 as mandated by the Government of India Act, 1935 and the results were announced in February 1937. Achieving state power in eight provinces was a major milestone in the country's faltering, halting movement towards total political independence because, while the Indian National Congress won in eight of the eleven provinces, the Muslim League could not form a government in any province. Imperial London was at war and that was the time for Indians to retain political power across the country as leverage in any negotiation with London for support and co-operation in the war. But, as always, Gandhi pulled the strings of the CWC and in what must have come as an unbelievable and welcome surprise to the Muslim League, Congress governments in all eight provinces resigned in protest and, once again, full state power returned to the Viceroy.

As negotiations between the Viceroy and the INC, the Viceroy and the Muslim League, and the Viceroy and the Chamber of Princes continued, London was promising

immediate and full Dominion Status when war ended as reward for co-operation. Jinnah's only fear was the Congress may change its mind and Congress governments would be restored in all eight provinces again. The Muslim League hardened its stand against the Congress and as a sign of things to come, during the three-day session in Lahore from 22–24 March, 1940, the League passed the Lahore Resolution which presented to London and the INC the shape and contours of any future dominion. This was the future Pakistan even if the Muslim League did not mention Pakistan by name.

> "3. Resolved that it is the considered view of this Session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the Muslims unless it is designated on the following basic principle, viz., that geographically contiguous units are demarcated into regions which should be constituted, with such territorial readjustments as may be necessary that the areas in which the Muslims are numerically in a majority as in the North Western and Eastern Zones of (British) India should be grouped to constitute 'independent states' in which the constituent units should be autonomous and sovereign." (Lahore Resolution, *Stern Reckoning*, G.D. Khosla, Oxford India Paperbacks, Second Impression, 1999, page 23)

The Lahore Resolution found an immediate echo in the British Parliament. At the end of the Viceroy's discussions with the three major political formations in India—the INC, the Muslim League and the Princely States, a White Paper, *India and the War* was issued on 10th April, 1940. During the debate on the White Paper in the British Parliament on 18th April, the Secretary of State made the following astounding statement:

> "I cannot believe that any government or parliament in this country would attempt to impose by force upon, for

example, 80 million Moslem subjects of His Majesty in India a form of constitution under which they would not live peacefully and contentedly." (*Integration of the Indian States*, page xxxiv)

This statement by the Secretary of State on 18th April, 1940 in the British Parliament would take definite shape in the Cabinet Mission Plan which was made public on 16th May, 1946, in what is called the State Paper of May 16. The proposals as contained in the State Paper would culminate inevitably in the creation of Pakistan. As stated at the very beginning, Imperial London had decided to retreat from India but it was going to retreat only after achieving the Generic Church's two critically important geo-strategic objectives—vivisection of India with the creation of Pakistan, and alienating the territory of Jammu and Kashmir from the Indian Union.

The Ramchandra Kak (RCK) Paper tells us how well London succeeded in achieving these objectives.

The paper I received from the anonymous source is a photocopy of the document (reference MMS Eur D 862) kept in the India Office Library and Records, London. The India Office Library and Records document in turn is the re-typed copy of Prime Minister Ramchandra Kak's original narrative; the India Office L&R copy specifies *Copy of Note by R.C. Kak*, and incorporates in the main text the corrections made by Pandit Kak in the margin of the original text but otherwise is identical to the original text. Given the extremely poor quality of the print I received, it would have been unwise to attempt to analyze the document, but even when I was not sure if I had a goldmine on my hands or if I was sitting on a volcano or both, I spoke about the paper to a friend and eventually, through Pandit Ramchandra Kak's family sources, gratefully received (courtesy Lila Bhan) a clear and legible scan of the original text, with the corrections made in the margin also clear and legible.

Curiously, there is not even a whisper of the events, as written down by Prime Minister Kak and which influenced Maharaja Hari Singh against accession to India in 1946 and again in 1947, in the *Collected Works of Mahatma Gandhi* which otherwise is full of details—important, inconsequential and salacious—of Gandhi's political and public 'private' life. V.P. Menon makes no mention of the role of Swami Sant Dev, who makes a sudden appearance in Srinagar in 1944 and who by 1946 had convinced Maharaja Hari Singh that he was destined, after the British retreated from India, to rule over not just the State of Jammu and Kashmir but over newly-acquired territories from what is today Himachal Pradesh.

There is no mention too of other extremely significant happenings in the State in V.P. Menon's *Integration of the Indian States*, particularly details of V.P. Menon's own meeting with Prime Minister Kak towards the end of July 1947, and not a hint of the relentless persecution of Pandit Kak by Gandhi, Nehru and other leaders of the INC which forced the removal of Prime Minister Ramchandra Kak, an able and stern administrator, on 11th August, 1947. V.P. Menon dismisses Pandit Ramchandra Kak in one paragraph and Prime Minister Kak does not merit mention even in the Index provided at the end of *Integration of the Indian States*.

> "I have already narrated how, after the setting up of the States Ministry, we were having exploratory talks with the rulers and their representatives for the accession of the States geographically contiguous to India. Pandit Ramchandra Kak, the Prime Minister of Jammu and Kashmir, was in Delhi at the time. **On the suggestion of the Maharaja of Patiala, we invited him to one such conference but he failed to attend it.** He met me subsequently at the Governor-General's house. I asked him what the attitude of the Maharajah was in regard to

accession to India or Pakistan, but he gave me very evasive replies. Kak also met Sardar. **I could not understand the man nor fathom his game.** Lord Mountbatten subsequently arranged an interview between Kak and Jinnah." (*Integration of the Indian States*, page 451) [Emphasis added]

However, this is how Prime Minister Ramchandra Kak, speaking of himself in the third person, describes his meeting with V.P. Menon in the RCK Paper:

Section IV

38. In his discussions with Mr. V.P. Menon in July 1947, Pandit Kak referred to the historical background of the creation of Jammu and Kashmir State in 1846 and the parallel between those circumstances and those that prevailed in 1947.

40. The parallel is obvious and needed no stressing to a person of Mr. Menon's historical knowledge. He offered to explain the position to Sardar Patel. **As a result, by mutual arrangement, Pandit Kak did not attend the meeting of the Indian States' Ministers** which Lord Mountbatten had called the following day to urge the States to expedite their arrangements with regard to accession. [Emphasis added]

And again in **Section I—**

18. Lord Mountbatten visited Kashmir in June 1947 with the specific object of getting a decision from the Maharaja to accede. He had a talk with Pandit Kak on that occasion and subsequently in New Delhi in the following month. On both these occasions, he laid emphasis on the advisability of and the advantages accruing from accession.

19. Lord Mountbatten asked Pandit Kak whether he had seen Mahatma Gandhi and Mr. Jinnah. He replied in the negative. On this, Lord Mountbatten advised that he should see and have a talk with Mr. Liaquat Ali Khan, who was that day lunching with Lord Ismay. Pandit Kak declined to do so

and said that he would, if necessary, see Mr. Jinnah. As regards Mahatma Gandhi, he said he had not seen him recently, but he had already seen Sardar Patel and had talked to him and explained the policy of the State with regard to accession. Lord Mountbatten however, insisted that he should see Mahatma Gandhi and himself arranged for Pandit Kak's meeting him on the following day.

20. Lord Mountbatten finally asked Pandit Kak whether he had met Mr. V.P. Menon, whom he described as a very able and knowledgeable person. The reply being in the negative, he sent for Mr. Menon, and after introducing them to each other, left the two to talk things over. **Pandit Kak had a lengthy discussion with Mr. Menon, who, he was glad to find, quickly appreciated the reasons promoting the State's decision as regards accession. They parted on the understanding that Mr. Menon would visit Kashmir soon after the 15th of August for few days,** and that then they would consider the future in so far as the security of the State and the arrangements necessary to ensure that security were concerned." [Emphasis added]

So, contrary to V.P. Menon's assertion that, "We left the State alone. We did not ask the Maharajah to accede", and contrary to Menon's claim that Prime Minister Kak was evasive in his replies and was playing games which he, Menon could not fathom, two offers for accession were indeed made to the Jammu and Kashmir State (dealt with in Part 2) and Pandit Kak did have detailed talks with Gandhi, Sardar Patel, Jinnah, Mountbatten and V.P. Menon. Not only did Prime Minister Kak and V.P. Menon have a lengthy talk about accession, but during that meeting it was decided that Menon would visit Kashmir for a few days soon after 15th August. But V.P. Menon did not go to Kashmir in August or even in September. He was sent to Kashmir by Mountbatten only in October to assess the situation in Srinagar after the Government of India received a desperate appeal for help from Maharaja Hari Singh on 24th October, 1947.

"Shortly before the transfer of power Pandit Kak was replaced as Prime Minister by Major-General Janak Singh. The Government of Jammu and Kashmir then announced their intention of negotiating Standstill Agreements with both India and Pakistan. Pakistan signed a Standstill Agreement. But we wanted time to examine its implications. **We left the State alone. We did not ask the Maharajah to accede,** though at that time, as a result of the Radcliffe award, the State had become connected by road with India. Owing to the composition of the population, the State had its own peculiar problems. **Moreover, our hands were already full and, if truth be told, I for one had simply no time to think of Kashmir."** (*Integration of the Indian States*, page 453) [Emphasis added]

These omissions by V.P. Menon and different slant given to same facts in his book *Integration of the Indian States* are surprising, not to say suspicious,[3] because V.P. Menon who

[3] "The story of how these books, *Integration of the Indian States* (1955) and *The Transfer of Power in India* (1957) came to be written is itself interesting and, may I add, revealing. **Mr. Gilpatrick of the Rockefeller Foundation had met Rajaji to get an account of the 'bloodless coup' that was effected in India during the transfer of power and the merger of the Princely States with the rest of the country.** Such an event was the first of its kind in world history. Rajaji said that only VP could give an authentic account of what had happened. Uncle VP was by then already working on the project, with support from all of us. But funding was proving to be a problem. Gilpatrick had a wide-ranging conversation with VP in Bangalore for two full days and was deeply impressed with his narration of events...**Gilpatrick's reaction was to offer to sponsor publication of the books in the US. And on the spot he sanctioned a Rockefeller grant of $60,000 for the completion of the work.** Eventually, Princeton University in the US and Orient Longman in India were to publish these monumental works simultaneously." (Foreword by Captain C.P. Krishnan Nair, Chairman Leela Group, *Integration of the Indian States*, page xiii) [Emphasis added]

"I acknowledge most gratefully the generous help given to me by the Rockefeller Foundation, Humanities Division, through the Indian Council for World Affairs, for the preparation of this book and the book on the integration of the Indian States." (V.P. Menon, Preface, *The Transfer of Power in India*)

was Cabinet Secretary in 1945, Reforms Commissioner from 1942 to 1947, and more importantly who, as Secretary in the States Ministry headed by Sardar Patel, did indeed meet Prime Minister Ramchandra Kak sometime between 23rd and 27th July, 1947.

Adding fuel to the fire lit by Sheikh Abdullah with his "Quit Kashmir" campaign against Maharaja Hari Singh, were Gandhi, Nehru and other leaders of the INC who were actively fomenting not just instability and revolt in J&K against the Hindu king, but were mounting an increasingly vicious campaign against the Prime Minister, seeking his dismissal.

The absence of very important details in V.P. Menon's book and in the *Collected Works of Mahatma Gandhi* makes Pandit Ramchandra Kak's account of the events in 1946–47 in the State of Jammu and Kashmir veritably the missing link in the narrative of why and how Gandhi, Nehru and other leaders of the Indian National Congress knowingly and intentionally alienated not only the King of Jammu and Kashmir but also his Prime Minister at this critically important juncture of the country's rapidly evolving history. As always I am left with the troubling question about why both Sardar Patel and Rajaji never publicly broke their silence and never stopped Gandhi and Nehru in their tracks when they were leading the INC and the Hindu nation towards certain and irreversible catastrophe.

4. Why the upheaval in Jammu and Kashmir in 1946 is linked to the violence following the Cabinet Mission

The second article in my J&K series, *Kashmir's Jihadi Cauldron: Gandhi, Not Nehru Lit the Fire* began thus:

"The secessionist fire raging in Kashmir today was lit in 1946 by Gandhi who instigated Nehru to interfere in the affairs of the Hindu kingdom as if the Hindu nation was Gandhi's patrimony and the Kingdom of Jammu,

Kashmir, Ladakh and the Tibets, was Nehru's fiefdom. Gandhi also forced the Congress Working Committee to position itself against Maharaja Hari Singh while simultaneously legitimizing the opportunist rise of jihadi Sheikh Abdullah in the kingdom's polity during the turbulent period following the failure of the Cabinet Mission; the Cabinet Mission failed (if it indeed failed) because after enthusiastically welcoming the proposals for transfer of power by the Cabinet Mission within three days of its arrival in India, Gandhi proceeded to sabotage the Mission's twin proposals for interim government and constitution-making step by calibrated step. From 1917, when Gandhi officially took charge of the party, the INC resembled the Kaurava Court as Patel, Rajaji, Rajendra Prasad, Nehru and J.B. Kripalani chose to look down and maintain silence while Subhash Bose, K.M. Munshi and Rajaji were evicted from the Kaurava Court even as the freedom struggle culminated in Hindu genocide in 1946 quickly followed by vivisection of the Hindu nation in 1947. If Gandhi's actions had consequences then the silence and inaction of Patel, Rajendra Prasad, Rajaji and Munshi had consequences too."

After reading the RCK Paper the only correction that must be made is that preparations for the secessionist fire began in 1938 when Gandhi and Nehru propped up Sheikh Abdullah against the Maharaja while the fire itself was lit by Gandhi in 1946. The opening paragraph of my article *Kashmir's Jihadi Cauldron* was, as will be demonstrated in this monograph, a prophetic summation of the RCK Paper. Gandhi's sabotage of the Cabinet Mission Plan for peaceful transfer of power and the resulting jihadi violence unleashed by Jinnah's Muslim League against Hindus provided the perfect cover and context for Sheikh Abdullah and the National Conference during the "Quit Kashmir" campaign to unleash targeted violence and mayhem against Abdullah's

political opponents and their families and against the minority Hindu community. Jihadi fire burning across the country also provided the perfect cover for the INC and National Conference when they set about undermining the political authority of Prime Minister Ramchandra Kak who was removed in August 1947, and eventually forced the Maharaja in October 1947 to flee to Jammu as a refugee while Sheikh Abdullah seized control of Kashmir.

Jihadi violence unleashed against Hindus by the Muslim League following Direct Action and the political turbulence in J&K in 1946 presented Mountbatten with the perfect cause and context to vivisect the Hindu nation within five months of his coming to India in March 1947.

In retrospect, it must be concluded that events in Jammu and Kashmir between March and October 1947 unfolded as they did because Gandhi, Nehru, Sheikh Abdullah and Mountbatten acted in tandem and with well-coordinated unity of purpose.

Sheikh Abdullah and London got what they wanted; the question remains, whose interests were Gandhi and Nehru serving?

The bigger questions also remain—

- Why did Sardar Patel, Rajaji and other leaders of the INC not speak up against Gandhi?
- Why were they helpless in the face of unchecked ascendancy of the Muslim League in India and the rise of Sheikh Abdullah in J&K, and
- Why could they not halt the disempowerment of the INC and by extension the Hindus of the country vis-à-vis the Muslim League's stated position to achieve Pakistan?

The only explanation seems to be that Patel, Pandit Madan Mohan Malaviya, Rajaji, G.D. Birla, K.M. Munshi and Rajendra Prasad, despite serious reservations about Gandhi's un-nuanced non-violence and his experiments with

women to test his *brahmacharya* even in 1946 and 1947 when the country was in turmoil, could not challenge or critique Gandhi's politics or private life publicly for the real risk of weakening the INC vis-à-vis a determined Jinnah and the Muslim League. Such was Gandhi's absolute control of the Congress and his moral authority over the ordinary people of the country that, had Gandhi been publicly exposed or challenged, not only would the INC have been rendered leaderless and rudderless, the faith of the people in Gandhi's infallibility and the hope that he would lead them to freedom would have been destroyed too and the consequences of Hindu despair would have been nothing short of cataclysmic.

5. How Gandhi sabotaged the possibility of peaceful transfer of power and provided Sheikh Abdullah with the cover to seize control of Jammu and Kashmir

The timing of the Cabinet Mission was a clear sign of surrender by the British government to the inevitable: India could no longer be held by force. Within a month of ending the siege of Imphal, London sent the Cabinet Mission to India in March 1946. The Cabinet Mission came to India ostensibly to devise a mechanism for the smooth transfer of power. It comprised three members—Lord Pethick-Lawrence, Secretary of State for India; Sir Stafford Cripps, President, Board of Trade; and A.V. Alexander, First Lord of the Admiralty. The Mission had twin objectives: to devise a Constitution for the independent Indian state, and the formation of an interim government or executive council to assist the Viceroy to administer the country until the making of the Constitution, with the rider that the Viceroy would continue to enjoy overriding powers. The proposals were made public in what has come to be known as the State Paper of May 16, 1946. The paper broadly set out the basis and mechanism of Constitution-making and the need for

setting up an interim government until the process of Constitution-making was complete. India would be a free country after the Constitution was in place. Important features of the State Paper:

- The British Government accepts the anxiety of Muslims to protect their religion, culture and language;
- The British Government concedes fully the Muslim claim that they fear Hindu domination and hence cannot accept being ruled by Hindus;
- The Cabinet Mission therefore provides for grouping of provinces into Groups A, B and C which permits grouping of provinces with sizeable Muslim population into Groups B and C allowing the Muslim League political control of sizeable territory;
- The Cabinet Mission rules out a separate state of Pakistan not only to get the INC on board for the negotiations but also on the ground that the Pakistan of Jinnah's demand would exist on two sides of partitioned India—Group B on India's west and Group C on India's east;
- The Union of India would have only three subjects under its control—Foreign Affairs, Defense and Communications. All other subjects would vest with the provinces;
- If any province wished to opt out of the Group into which it had been placed it could do so at the time of the first general elections in independent India;
- No clause of the State paper could be modified or changed and nothing could be added or deleted without a majority of the representatives of the two major political formations, and a majority of the total representatives present in the Constituent Assembly, agreeing to it;

- The Cabinet Mission had provided for the princes and rulers of the Indian States to send 93 delegates to the Constituent Assembly to participate in the making of the Constitution.

Thus, all subjects other than Foreign Affairs, Defense and Communications would vest in the provinces, and the provinces would be free to form larger groups, with their own executives and legislatures, with powers to deal with such subjects as the provinces within that group might assign to them. In this manner, the provinces that Jinnah claimed for Pakistan in the Lahore Resolution of March 1940 could form groups or sub-federations and enjoy a large measure of autonomy approximating to but not quite Pakistan.

Notwithstanding Jinnah's repeated insistence on carving out the Muslim state of Pakistan, Viceroy Wavell's ultimatum, that if Jinnah insisted on Pakistan he would get only a truncated Pakistan (Punjab and Bengal would be partitioned too and Assam would be part of the Indian Union), ultimately persuaded Jinnah to accept the Mission's proposal for a three-tier Constitution which allowed maximum autonomy for all provinces within the Indian Union, including the Princely States, which would be prevailed upon to join the Union by sending their representatives to the Constituent Assembly. Jinnah's, and subsequently the Muslim League's acquiescence to accepting the Mission proposal for maximum autonomy without Partition was a well-planned tactical gesture because Jinnah intended to water the seeds of Partition once the Muslim League came to power in these provinces and after the British quit India.

The State Paper dealt even-handedly with the INC and the Muslim League—it effectively averted the looming threat of vivisection and also gave enough to Jinnah and the Muslim League to force them to accept the proposals. It also

issued a direct warning to both parties about the possible catastrophic consequences for the people if, because of the intransigence on the part of one or other of the parties, the Mission were to fail in its objective.

> "We ask you to consider the alternative to acceptance of these proposals. After all the efforts which we and the Indian Parties have made together for agreement, **we must state that in our view there is a small hope for peaceful settlement by agreement of the Indian Parties alone. The alternative therefore would be a grave danger of violence, chaos and even civil war.** The result and duration of such a disturbance cannot be foreseen; but it is certain that it would be a terrible disaster for many millions of men, women and children. This is a possibility which must be regarded with equal abhorrence by the Indian people, our own countrymen and the world as a whole. We therefore lay these proposals before you in the profound hope that they will be accepted and operated by you in the spirit of accommodation and goodwill in which they are offered." (*Statement of Cabinet Delegation and Viceroy*, May 16, 1946, CWMG, Vol.90, Appendix XX, page 447) [Emphasis added]

It is not as if Gandhi did not know the possible horrendous consequences of rejecting the proposals or failing to come to some kind of agreement with the Muslim League.

6. Gandhi promptly welcomed Cabinet Mission Plan and then flipped backwards in slow motion

The Cabinet Mission came to Delhi in March 1946. For two months the Mission held extensive discussions with the INC, with the Muslim League and with the Princely States or Indian States. The Cabinet Mission made the proposals public on May 16, 1946. The Mission proposals came with

the seeds of vivisection; Imperial London was sympathetic to and supportive of Muslim separatism and knew that all that the Cabinet Mission had to do was plant the seed and leave the rest to nature. And yet, within three days of the Cabinet Mission Plan being made public, Gandhi welcomed it wholeheartedly and, for good measure, absolved the British of any mala fide intention and declared that the British Government, when they retreated from India, wanted to leave behind a united India!

> "After four days of searching examination of the State Paper issued by the Cabinet Mission and the Viceroy on behalf of the British Government, **my conviction abides that it is the best document the British Government could have produced in the circumstances.** It reflects our weakness, if we would be good enough to see it. The Congress and the Muslim League did not, could not agree. We would grievously err if at this time we foolishly satisfy ourselves that the differences are a British creation. The Mission have not come all the way from England to exploit them. They have come to devise the easiest and quickest method of ending British rule. The authors of the document have endeavored to say fully what they mean.
>
> Their one purpose is to end British rule as early as may be. **They would do so, if they could, by their effort, leave united India not torn asunder by internecine quarrel bordering on civil war.** They would leave in any case. Since in Simla the two parties, though the Mission succeeded in bringing them together at the Conference table (with what patience and skill they could do so, they alone could tell), could not come to an agreement, nothing daunted, they descended to the plains of India, and devised a worthy document for the purpose of setting up the Constituent Assembly which should frame India's charter of independence, free of any British

control or influence. It is an appeal and an advice. It has no compulsion in it." (*An Analysis*, NEW DELHI, May 20, 1946, CWMG, Vol.91, pp.1–3) [Emphasis added]

7. **This is what the Muslim League said in June 1946 even before the Cabinet Mission allegedly "failed"**

"......The Muslim League having regard to the grave issues involved, and prompted by its earnest desire for a peaceful solution, if possible, of the Indian constitutional problem, and in as much as the basis and the foundation of Pakistan are inherent in the Mission's plan by virtue of the compulsory grouping of the six Muslim provinces, in sections B and C, is willing to co-operate the constitution-making machinery proposed in the scheme outlined by the Mission, in the hope that it would ultimately result in the establishment of complete, sovereign Pakistan..." (*Resolution of Muslim League Council*, June 6, 1946, CWMG, Vol.91, Appendix V, page 439)

My book *Eclipse of the Hindu Nation: Gandhi and his Freedom Struggle*, published in 2009 was the first attempt by any writer in this country or elsewhere to critically evaluate, from a Hindu nationalist point of view, Gandhi's politics from 1915 when he returned to India from South Africa, until August 1947 when the Hindu nation was vivisected. The RCK Paper now compels me to extend my scrutiny of Gandhi's politics until January 1948 when an enraged Hindu nationalist assassinated him because, after loss of national territory to the newly-created jihadi state of Pakistan in August 1947, and after Pakistan invaded and occupied large territories of J&K within ten weeks of its creation in October 1947, resulting in more loss of territory to Pakistan, Gandhi undertook an indefinite fast to compel Sardar Patel to hand over Pakistan's share of pre-Partition treasury funds. Gandhi

had to be removed by force, even violently, because Patel and the rest of the INC were in no position to stop Gandhi from meddling in government affairs to the detriment of national interest. No writer or historian subsequent to my book *Eclipse of the Hindu Nation* has rebutted or challenged my core submissions that:

- Total political independence was never the end objective of Gandhi's so-called freedom movement
- The three most celebrated political events of the freedom struggle—Civil Disobedience Movement, Salt Satyagraha, Quit India Movement—were only tokenisms and sloganeering in response to the return of Tilak from Mandalay, execution of Bhagat Singh and the meteoric rise of Subhash Bose and the INA—tokenisms for which ordinary people paid with their lives and liberty but which did not take a toll of Gandhi and did not further the quest of ordinary, deluded Hindus for total political independence
- That every move that Gandhi made politically in three decades benefited only the Muslims and Imperial London while Hindus lost their territory, liberty and lives.

8. The last stage in sabotaging the Cabinet Mission, and its catastrophic consequences

While important leaders of the Congress Working Committee may have pretended to the country that they were negotiating actively with the Cabinet Mission on the proposals of May 16, the truth is Gandhi and Gandhi alone was making all decisions on behalf of the INC and by extension on behalf of all Hindus of the country. Muslims had the Muslim League; Hindus had only the INC but Gandhi said the Congress was not a Hindu party. Gandhi selected the President of the INC; Gandhi had a decisive say

in the selection of the CWC; Gandhi arrogated to himself the moral authority to force Congress Ministers to act upon his advice; and Gandhi drafted important resolutions of the CWC including the one on the arrest of Sheikh Abdullah and Nehru's detention when Nehru insisted on going to Srinagar.[4]

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[4] "In connection with the Bengal dispute, in your writings to the Press you were offensive and the discourteous, impatient walk-out nearly broke my heart. You should have bravely recognized the necessity and propriety of your and other friends' exclusion from the newly-constituted Congress Working Committee. It was not aimed at you, Prakasam or Srinivasa Iyengar... There was no question surely of distributing patronage, of placating personal interest, however high they may be." (*Letter to Subhash Chandra Bose*, Sabarmati, January 3, 1930, CWMG, Vol.48, pp.189–90)

"This is my plea about Maulana Saheb. I find that the two of us have drifted apart. I do not understand him nor does he understand me. We are drifting apart on the Hindu-Muslim question as well as on other questions. I have also a suspicion that Maulana Saheb does not entirely approve of the proposed action. No one is at fault. We have to face the facts. Therefore I suggest that the Maulana should relinquish Presidentship but remain in the Committee, the Committee should elect an interim President and all should proceed unitedly. This great struggle cannot be conducted properly without unity and without a President who comes forth with a hundred per cent co-operation. Please show this letter to Maulana Saheb". (*Letter To Jawaharlal Nehru*, Sevagram, Wardha, July 13, 1942, CWMG, Vol.83, page 98)

"I was somewhat alarmed on hearing about the incidents at Ahmedabad. I was aware of the Rath-yatra day. They must have anticipated a skirmish. Why did the police not take precautionary measures? Does not the police now belong to the people? Why did they not seek the people's co-operation beforehand? Our real defense force ought to be the people. Why call the military for such tasks? The people ought to have been forewarned that they would not get the help of the military. The State too may not rule with the help of the military. This could not be. Now realize your mistake and start afresh. Withdraw the military if you can. If you find it risky to withdraw the military immediately let them do policing. They may not carry rifles, and if they carry bayonets these should be used sparingly. Don't mind if a few have to die. They have been trained to act like monkeys. Under your administration they should cease to be monkeys and become human beings. (*Letter to Morarji Desai*, Poona July 1, 1946, CWMG, Vol.91, pp.222–23) Morarji Desai was Minister for Home and Revenue in the Bombay Presidency.

"Answering an initial request that he should give a report on the negotiations as they stood at the moment, Mahatma Gandhi said: I wish I could, but I am here only as an adviser. I have, for many years, been advising the Congress. But now, **I have constituted myself as an adviser both to the Congress and to the Viceroy, too, and through him of the British people.** You see, that makes my position exceptionally delicate."

"I suggested that not only Mr. Jinnah, but Lord Wavell, most of India and all observers at the conference looked upon Gandhiji as head of the Congress regardless of the technicality that he was not a member, and that no settlement would be reached without his consent.

Gandhiji replied: That is both right and wrong. That impression has been created because generally my advice is accepted. But technically and substantially it is wrong. The conference is legally representative and, therefore, I can have no place in it."

"To my insistence that his was the controlling voice in the Congress, Gandhiji replied: Not even that. They can shunt me out at any time, brush aside my advice. If I tried to override them, I might succeed for once. But the moment I try to cling to power, I fall, never to rise again. That is, not in my temperament." (*Interview to Preston Grover*, CWMG, Vol.87, pp.189–91) [Emphasis added]

After unreservedly welcoming the Cabinet Mission Plan, Gandhi led the Indian National Congress and the Hindus of the country on a wild goose chase, disagreeing first with one and then the second and then all clauses in the proposals. Knowing well that the Muslim League had declared on June 6 to achieve Pakistan by all and every means, Gandhi neither empowered the INC and the Hindus of the country to resist Partition by force nor did he give peace the slightest chance to effect transfer of power. On June 24, Sardar Patel expressed his displeasure at Gandhi's dilatory tactics.

- Total political independence was never the end objective of Gandhi's so-called freedom movement
- Sardar Patel expresses his displeasure to Gandhi about what he feels is Gandhi's needless obstructionism —June 24, 1946. "After the meeting... on the way Sardar asked Bapu: "There is a meeting of the Working Committee; what am I to tell them?" Bapu answered that he was not satisfied with the talk with the Cabinet Mission. The Sardar was irritated. "You raised doubts as regards para 19. They have given a clear assurance on that. What more do you want?" (*Talk with Vallabhbhai Patel*, CWMG, Vol.91, pp.189–90)
- On June 24, Gandhi forced the CWC to reject the formation of an Interim Government and told the Viceroy to ask the Muslim League to form the Interim Government; this after the Muslim League made its intention with regard to Pakistan unambiguously clear on June 6.
- Congress sends letter to Lord Wavell rejecting the Interim Government proposals—New Delhi, June 24, 1946.

"The decision was in fact taken yesterday but we felt that it would be better if we wrote to you fully on all aspects of the proposals made by you and the Cabinet Delegation. The Working Committee have been sitting almost continuously and will be meeting at 2 p.m. again today. After full consideration and deliberation they have been reluctantly obliged to decide against the acceptance of the Interim Government proposals as framed by you. A detailed and reasoned reply will follow later." (*Draft Letter to Lord Wavell*, June 24, 1946, CWMG, Vol.91, page 190)

On returning from there (meeting the Viceroy) a visibly irritated Sardar again asked Bapu: "Were you

satisfied?" Bapu replied, "On the contrary, my suspicion has deepened. I suggest that hereafter you should guide the Working Committee. The Sardar replied, "Nothing of the sort. I am not going to say a word. You yourself tell them whatever you want." (*Talk with Vallabhbhai Patel–II*, June 24, 1946, CWMG, Vol.91, page 193)

9. Gandhi sounds a new warning at a meeting of the CWC about joining the Constituent Assembly—afternoon of June 24, 1946, at the meeting of the CWC

At the meeting, after sending the draft letter to Lord Wavell rejecting the Interim Government proposals and before meeting the Cabinet Delegation again later in the day, Gandhi addressed the CWC again. At this meeting Gandhi came up with a new objection—he now told the Working Committee that it made no sense to him for the Congress to enter the Constituent Assembly when they had no control over the Interim Government. Gandhi justified his warning on the grounds that his "mind is in a fog" and "I see darkness where four days ago I saw light".

First Gandhi pressured the Congress not to form the Interim Government, and then he pressured them not to enter the Constituent Assembly.

10. Gandhi writes to Stafford Cripps that joining the Constituent Assembly is linked to the Interim Government—10 p.m., June 24, 1946

"In spite of the readiness, as it seems to me, of the Working Committee to go in for the Constituent Assembly, I would not be able to advise the leap in the dark...I therefore propose to advise the Working Committee not to accept the long-term proposition without its being connected with the Interim Government. I must not act against my instinct and shall advise them to be guided solely by their own judgment.

I shall simply say that the conversation gave me no light to dispel the darkness surrounding me. I shall say I had nothing tangible to prove that there were danger signals". (*Letter to Stafford Cripps*, June 24, 1946, CWMG, Vol.91, pp.193–94)

- Congress Working Committee writes to the Cabinet Mission rejecting Interim Government proposals but accepting long-term plan for Constituent Assembly—New Delhi, June 25, 1946
- Viceroy and Cabinet Mission announce formation of caretaker government—June 26, 1946
- Cabinet Mission leaves for England—June 29, 1946

Notwithstanding the fact that the Muslim League accepted the Cabinet Mission proposals for peaceful transfer of power, notwithstanding the fact that the Muslim League was ready not only to form an Interim Government with or without the INC and notwithstanding the Muslim League's readiness to enter the Constituent Assembly, the Viceroy, as promised earlier, did not invite the Muslim League to form the Interim Government when the INC under pressure from Gandhi reneged on all promises it had made on May 20 when Gandhi welcomed the proposals. Enraged at the deception of the INC and the Viceroy, the Muslim League promptly unleashed jihad against Hindus. Two days after the Cabinet Mission left for England, on July 1, 1946, jihadi violence broke out in Ahmedabad on the sacred occasion of *ashadh sud* or rathyatra day. On July 29, the Muslim League rejected the Cabinet Mission proposals in entirety.

Incensed over what they considered was a gross betrayal by the Viceroy of Clause 8 of the June 16 statement,[5] the

[5] Clause 8 of the June 16 statement which would be used by Gandhi to obstruct the discussion stated—"In the event of two major parties or either of them proving unwilling to join in the setting up of a Coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of the Interim Government which will be as representative as possible of those willing to accept the statement of May 16."

Muslim League convened in Bombay on 29th July and passed two resolutions—the first withdrawing the previous acceptance of the Mission proposals and the second announcing direct action to achieve Pakistan—

> "And whereas it has become abundantly clear that the Muslims of India would not rest content with anything else than the immediate establishment of an independent and full sovereign State of Pakistan and would resist any attempt to impose any constitution, long-term or short-term, or setting up of any Interim Government at the centre without the approval and consent of the Muslim League. The Council of the All-India Muslim League is convinced that now the time has come for the Muslim nation to resort to Direct Action to achieve Pakistan and to get rid of the present slavery under the British and contemplated future caste Hindu domination." (*Stern Reckoning*, G.D. Khosla, page 38)

To prove my point that London sent the Cabinet Mission to plant the seeds of partition, which intention Gandhi fulfilled faithfully when he pulled the rug from under the feet of an already volatile Muslim League, the Viceroy, in August 1946, invited the INC to form the Interim Government. The Viceroy asked the Congress to form the Interim Government after the Cabinet Mission and the Viceroy both announced on June 26 that a caretaker government (not Interim Government) with representatives from both the INC and the Muslim League would be formed. And this time on August 12, 1946, the INC and Gandhi, despite refusing to form the government earlier, now accepted to form the Interim Government. An enraged Muslim League retaliated by setting fire to the nation with jihadi vengeance. Jinnah announced Direct Action on August 16 and soon, jihadi flames engulfed Bengal, Bihar, Bombay, Punjab and the North-West provinces. The Hindu Nation was on fire.

In retrospect it must be concluded that Gandhi and the Viceroy acted in tandem to push the Muslim League over the

precipice; the resulting communal violence in the country pushed the tragic events unfolding in Jammu and Kashmir to the margins.

11. Gandhi, Motilal Nehru and the Princely States

The rise of Sheikh Abdullah as a violent antagonist, whose politics was directed specifically against the Hindu ruler of the State of Jammu and Kashmir, derived directly from the political views that Gandhi, Motilal Nehru and Jawaharlal Nehru nurtured and implemented against Hindu princely states and their rulers. Sandwiched between the Simon Commission and the Government of India Act, 1935 was the Round Table Conference which was convened to discuss self-governance in an All-India Federation with a dyarchic federal legislature of Upper and Lower Houses to which the provinces or British India and the Princely States would send their representatives. While accession of the provinces to the federation would be automatic, accession of the Princely States was voluntary; a State would be considered to have acceded only after the ruler had executed the Instrument of Accession which would have to be accepted by the British King. When rulers of Princely States acceded to the Indian Federation, they would possess and retain all original sovereign powers except those which they surrendered, under the terms of the Instrument of Accession, to the Crown.

> "The rulers and their ministers met in conference at Bombay in November 1938. While reiterating their faith in the idea of an all-India federation, they stressed the need for specific and effective safeguards without which 'the rulers and their successors would find themselves unable, in the fast changing circumstances of the country, to duly discharge their duties to the Crown, to their dynasties and to their peoples'". (*Integration of the Indian States*, page 46)

At the time of the Simon Commission and even during the Government of India Act, 1935, there were only two distinct political formations in the country—the provinces under direct British rule and the Princely States. The underlying concept of the All-India Federation with two Houses of Parliament for self-governance was to preserve the essential unity of the country and to knit the two distinct political formations into a self-governing whole. Gandhi, who embraced the Ali Brothers, who refused to make ban on cow slaughter a condition for support to the Khilafat campaign, Gandhi who declared in 1942 that he was ready to hand over the whole of India—British India and the Princely States, majority of which were Hindu Princely States—to the Muslim League, Gandhi who insisted that the Congress would not resist by force or violence if the Muslim League seized power to rule the country, however made no attempt to reach out to the Princely States and to draw them into the freedom movement. Instead, Gandhi, Motilal Nehru and Jawaharlal Nehru equated the rulers of Princely States to the colonial, British government and repeatedly asserted that the people in the Princely States had every right to aspire for independence from their rulers; only they called it "aspire for responsible government".

From this adversarial notion about the Princely States was born the All-India States' Peoples Conference, also referred to as All-India States Subjects Conference—a political forum under the aegis of the INC for all malcontents in the Princely States—of which Sheikh Abdullah was appointed President!

12. Motilal Nehru and the Princely States

In the Nehru Report, 1928 which was a counter and rebuff to the all-British Simon Commission, Motilal Nehru theorized, "It is inconceivable that the people of the States who are fired by the same ambitions and aspirations as the people of British India will quietly submit to existing

conditions forever, or that the people of British India bound by the closest ties of family, race and religion to their brethren on the other side of an imaginary line, will never make common cause with them." (*Integration of the Indian States*, pp.xxvi–vii)

This was the first explicit threat by the INC to interfere in the internal affairs of the Princely States.

In the wake of victory of the INC in eight of the eleven provinces in the provincial elections whose results were announced in February 1937, a triumphant Gandhi and the INC instigated civil unrest in several Princely States in the name of civil liberties, temple entry and "responsible government". There was Congress-triggered unrest in Mysore, Travancore, Kashmir, Hyderabad, Jaipur, Rajkot, Talcher and Dhenkanal.

The freedom movement was floundering with no decisive progress towards total political independence. Gandhi had transformed the INC from vehicle for political independence into instrument for social reform. And after Gandhi forced the Congress governments in eight provinces to resign in October 1939, the INC was bereft once again of a political agenda. Gandhi had to keep a restive Congress from open rebellion and simultaneously had to keep the people of the country who had not lost hope that he was leading them towards independence, firmly behind him.

Gandhi's usefulness with the British government rested on his absolute control of the INC and his power over the ordinary people, the majority of whom were Hindus.

Since Gandhi was making no headway with the Viceroy or with the Muslim League, he had to provide a vent to the simmering fire of need for political action; interfering in the internal affairs of Princely States was a tactical move which cost the Congress nothing but destabilized the Princely States and the Congress' destabilizing mission coincided with the resignation of the Congress provincial ministries. Mysore,

Travancore, Dhenkanal, and the state of Jammu and Kashmir under Prime Minister Ramchandra Kak were some of the best administered Princely States in 1946 when Gandhi let loose the INC into their territories. These states, in the view of V.P. Menon, had well-organized administrative machinery, excellent judiciary and the tax-payer's obligations were clearly defined. Such was the extent of destabilization and the newly injected poison of discontent among the people that the Princely States had little reason to like or trust the Congress, Gandhi or Nehru. Why Maharaja Hari Singh and Prime Minister Ramchandra Kak would not agree to accede to the Indian Union in 1946 when the first offer was made, must be seen against the background of the Congress' destabilizing mission which propped up Sheikh Abdullah against the Hindu king.

13. Gandhi and the Hindu rulers of Princely States

> "In February 1938, at the Haripura session of the Congress...the Congress reiterated its objective of standing for the same political, social and economic freedom in the States as in the case of the rest of India. The Congress, the resolution continued, was not yet able to obtain the liberation of the States' subjects by itself operating within their borders. In the existing conditions, 'the burden of carrying on the struggle for freedom must fall on the people of the States.' Only false hopes would be raised if they relied on extraneous help or assistance or on the prestige of the Congress name. The Congress as an organization could only offer moral support and sympathy. Individual Congressmen would be free to render further assistance in their individual capacities.
>
> **Meanwhile individual Congressmen started leading the agitation in the States themselves.** The All-India Congress Committee meeting in Delhi in September 1938 condemned repression in Travancore, Hyderabad,

Kashmir and the Orissa States. The Congress ministries of provinces adjoining Princely States declined to use their statutory powers to prevent agitation being organized within their provinces and launched beyond them.

On 3 December 1938, Gandhiji acclaimed the simultaneous awakening in the States as due to the "time spirit" and declared that there was no halfway house between total extinction of the States and full responsible government.

He then gave the warning that the Congress policy of non-interference might be abandoned; and he advised the rulers to cultivate friendly relations with an organization which bids fair in the future, not very distant, to replace the paramount power—let me hope, by friendly arrangement." (*Integration of the Indian States*, pp.49–50) [Emphasis added]

The gloves were off and, drunk with power and success in the elections, Gandhi was fomenting instability and unrest in several Princely States, including in the three largest States—Kashmir, Mysore and Hyderabad. Several Congress leaders, Nehru, Maulana Azad, Khan Abdul Ghaffar Khan and others made periodic visits to Kashmir to participate in the agitations and demonstrations unleashed against Maharaja Hari Singh by Sheikh Abdullah and his National Conference. Gandhi watched indulgently as Nehru propped up Sheikh Abdullah in 1938, after the Haripura Resolution and, as we shall soon see in the RCK Paper, with tragic consequences for Jammu, Ladakh and the Hindu nation.

During the Round Table Conference and during discussions preceding the Government of India Act, 1935, there were only two political formations, the INC and the Princely States. The Muslim League was not yet a strong political contender and could not form a government in any of the provinces, not even in the Muslim majority NWFP,

Assam and even Bengal. Political sense dictated that Gandhi and the Congress should deal respectfully and sensitively with the Princely States to seek their co-operation and support when, as Gandhi warned them, the Congress hoped to replace the paramount power.

Just how short-sighted and foolish it was to discount the Muslim League from political calculations, and worse, to antagonize the Princely States, was thrust upon the INC and the hapless Hindu nation when the political scene changed dramatically in October 1939 when Gandhi, in a fit of bravado, asked all eight Congress governments to resign.

> "Though one may sympathize with the feelings of Congressmen who found themselves in this position, the outcome of their actions only confirms the conviction that the original decision to withdraw the Congress-controlled Provincial Ministries was a fatal mistake. Once that mistake had been made, everything else followed more or less inevitably, but nonetheless disastrously. In particular, it created the atmosphere of civil war in which the extremist position of the Muslim League came to be viewed as natural and right even by level-headed Muslims. **In fact, within a year of the launching of the Quit India campaign, the League succeeded in gathering under its banner, the governments of Assam, Sind, Bengal, and the NWFP, except the Punjab. This meant, of course, a very great increase in its stature as a party.**" (*Integration of the Indian States*, page xxxvii) [Emphasis added]

By 1940, after the Lahore Resolution where the Muslim League declared its intention to achieve a sovereign state of Pakistan, the British Government was confronted by three very large political formations—the INC, the Princely States and the Muslim League. But Gandhi did not desist. Gandhi and Nehru continued with their disrespectful and antagonistic approach in their dealings with the Princely States, and their

bulldozing methods had its worst impact on the State of Jammu and Kashmir; the country is still dealing with the festering problem of Muslim intransigence, Islamic separatism and jihad which is organized in Pakistan and launched across national borders into Jammu and Kashmir—in the exact same manner in which Congress-ruled provinces organized the destabilizing mission inside their borders and launched them across borders into the adjoining Princely States.

It is in the context of these convulsions which Gandhi forced upon the nation that we must look at the events in J&K in 1946–47. Gandhi played no small role in the upheaval and subsequent Islamic rule in this once beautiful Hindu-Buddhist kingdom.

* * * * *

PART 2

Jammu and Kashmir: Why Maharaja Hari Singh would not Accede in 1946 and why he could not Accede in 1947: Analysis of Pandit Ramchandra Kak Paper

Overview of events in the state of Jammu and Kashmir in 1946–1947

When Mountbatten announced that he was accelerating transfer of power and that the country would be partitioned into two dominions—India and Pakistan, he made it clear that London's paramountcy over Princely States would not be passed on to the new Indian and Pakistani governments and that technically all Princely States would be independent as of 15 August, 1947. The total area of the 564 Princely States was approximately two-fifths or almost half of the total territory of the country. When the country was partitioned we lost 364,737 square miles of our territory to Pakistan. Patel, better than Gandhi, Nehru or other Hindu leaders in the INC knew the critical importance of integrating the Princely States into the Indian Union to build a strong, unified country—united culturally, politically and economically, united as a civilization.

It was under these circumstances that the Department of States was formed under Sardar Patel with V.P. Menon as Secretary. With transfer of power, the Department of States became a full-fledged Ministry of States with Patel as Minister and V.P. Menon, who was then Constitutional Adviser to the Governor-General, was retained by Patel as Secretary. Prime Minister Ramchandra Kak's first-hand

narrative of the events which culminated sequentially in Sheikh Abdullah's arrest, trial and imprisonment, Nehru's detention in Muzaffarabad and Uri, Pandit Ramchandra Kak's resignation and the resulting administrative vacuum in the State facilitating Pakistan's successful invasion and occupation of Kashmir, and eventually Maharaja Hari Singh, under great pressure from Mountbatten and the Indian National Congress, handing over his kingdom on a platter to Sheikh Abdullah, only exposes the destructive role played by Gandhi and Nehru in Jammu and Kashmir whose consequences including loss of territory and property, loss of lives, the genocide and exodus of the Hindus of the Kashmir valley seem today to be almost irreversible.

The narrative of the RCK Paper made available to the author by Pandit Kak's family is categorized under eight sections and each section bears the Roman numeral. The document begins with Section I and goes on to Section VIII which is the Epilogue. The Hindu-Arabic numerals against the points in Parts 1&2 of the analysis which present verbatim excerpts from the RCK Paper are identical with the numerals in the original document. The RCK Paper is presented verbatim in Parts 1&2 but not in unbroken sequence. Thus if I am dealing with the issue of accession, then I present paragraphs 1, 2, 4, 5, 7 and 8 as being the most important in Section I. Additional information or related facts from other sources, wherever required are presented at the end of a point as 'Note'. The text is identical to that of the India Office Library copy (some obvious typographical typing errors apart) and, when needed, the two texts were compared to remove any doubt.

1. To Accede or Not To Accede

Section I

1. The question of accession was posed to the Jammu and Kashmir Government on two different occasions and

under two different sets of conditions. The reaction of the Kashmir Government was the same in both cases, viz., that it did not wish to accede...

2. The foreign relations of the State were a subject within the portfolio of the Prime Minister and his views, subject to the approval of the Maharaja, constituted the current foreign policy of the State. In regard to accession, the views of the Prime Minister and the Maharaja coincided, though not for identical reasons.

4. The first reference from the Government of India inviting the views of the State on the subject of accession was received late in 1946....At this time, the issue of Partition had not arisen except as a remote contingency, and accession was envisaged only with reference to the newly to-be-created Dominion of India.

5. In the following year, after Lord Mountbatten's assumption of office, when decision had been taken with regard to the partition of India into two dominions, the alternatives posed were whether the State would accede to India or to Pakistan.

7. So far as Pandit Ramchandra Kak was concerned, in 1946 the decisive factor which influenced him in holding the view he had on accession was the attitude of the Indian National Congress, in regard to the affairs of the State.

8. During the preceding eight years, the Indian National Congress had boosted Sheikh Abdullah. Indeed it may be said that the Congress identified itself with Sheikh Abdullah and lent its great weight of authority to his agitation against the State Government. The Congress leaders, including Pandit Nehru, Maulana Azad, Khan Abdul Ghaffar Khan and others paid visits to the State, participated in the deliberations and demonstrations of the National Conference. These later culminated on certain occasions in breaches of peace, which caused considerable embarrassment to the State Government and deep resentment among those sections of the people of

the State who had not thrown in their lot with Sheikh Abdullah. The climax came when Sheikh Abdullah was arrested in May 1946. Telegrams were sent to the Maharaja and the Kashmir Prime Minister by top Congress leaders demanding his release. Several highly coloured and vituperative statements regarding the happenings in the State were published in the press. The factual inaccuracy of the allegations contained in these statements was promptly and publicly pointed out by the Kashmir State Government. Then Pandit Nehru decided to pay a personal visit to the State, to arrange for the defense of Sheikh Abdullah who was being put up for trial on charges of sedition. The Kashmir Government had already communicated to the Government of India that, in view of the excitement prevailing in the State, it would be most undesirable for Pandit Nehru to come to Kashmir at that time, and that if he persisted it would be the duty of the Kashmir Government to prevent his proceeding to Srinagar. [Emphasis added]

2. Why Prime Minister Kak was compelled to arrest Sheikh Abdullah

Section VI

4. Sheikh Abdullah started his political career in 1931 as one of the two protagonists of the Muslim Conference which was professedly and unashamedly a communal body. His principal colleague was Ch. Ghulam Abbas. In the years that followed, due to the intensification of the rivalry between the two chiefs, and the fact that Ghulam Abbas was able to secure a more favored position in the estimation of Mr. Jinnah and consequently the Muslim League, Sheikh Abdullah and the Kashmiris who followed him set up a rival organization which they called the National Conference. As a matter of tactics and as a means of securing external support and publicity, Sheikh Abdullah appealed to Pandit

Nehru's catholicity of mind by proclaiming himself and his organization non-communal.

6. **Sheikh Abdullah while taking full advantage of his new found and unearned elevation in the Congress hierarchy, never lost sight, however, of his original aims and objectives, which remained what they had always been. He wanted absolute control over the Kashmir State administration.** As the population was 76 percent Muslim, this automatically implied, however the changeover might be glossed and camouflaged with terms of democracy, the permanent subordination of the minority communities, who, therefore, barring the few who had thrown in their lot with Abdullah, were not too happy about it, the more so as they knew Sheikh Abdullah's arrogance and prejudices better than the Congress leaders, whose contacts with him were comparatively few and far between.

7....Their real misgivings about the future arose not so much out of their fear of loss of privilege, as out of the methods of coercion and bullying adopted by the National Conference against those who differed from them including even the dissident Muslim groups. There are instances of residents in Srinagar who were unable for years to visit other parts of the town, having experienced on earlier occasions, molestation and public humiliation at the hands of the strong-arm squads of the National Conference.....**The same applied to members of the minority communities who did not accept the leadership of Sheikh Abdullah.** They went always in fear and trembling. In what was called the "Quit Kashmir" agitation in 1946, mobs, thousands strong, used to surround houses of respectable citizens, who had incurred the wrath of the National Conference by their non conformity. **These mobs, for hours together, terrorized the inmates, throwing stones and shouting filthy abuses, not excluding the womenfolk of the house in its scope.**

In fact, these activities were one of the main causes which necessitated drastic action against the National Conference bosses in that year. [Emphasis added]

Note: And that is why Sheikh Abdullah, the INC's Great Democrat was arrested by Prime Minister Ramchandra Kak in May 1946. And this was the man whom the Congress was actively instigating against Maharaja Hari Singh and the man to whom power was transferred as pre-condition for sending Indian troops to save Srinagar from Pakistan's loot-and-plunder army in October 1947! Sheikh Abdullah was arrested in May 1946 and Nehru went to Srinagar soon thereafter, despite the warning from Prime Minister Kak that he would not be allowed to go to Srinagar. He was stopped at the border-post at Kohala and later detained in the Dak Bungalow at Muzaffarabad. This was hardly arrest and incarceration. The State Government housed Nehru and his retinue at the Dak Bungalow and the entire Dak Bungalow in Muzaffarabad was reserved for Nehru and his party. Later Nehru was taken to the Dak Bungalow in Uri where new telephone lines were installed specially for Nehru, to facilitate communication between Nehru and the Congress leadership in Delhi. When in response to Gandhi's passionate call to Nehru to come back to participate in the negotiations with the Cabinet Mission, Nehru decided to return to Delhi, the Kashmir Government made arrangements for Nehru to travel to Rawalpindi by road and from Rawalpindi by special plane to Delhi. And all this was done at the State Government's expense, on Prime Minister Ramchandra Kak's orders.

> "I and all are of opinion that your presence here is essential above everything else. Remember that you are under an organization which you have adorned so long. Its needs must be paramount for you and me. Remember also that your honour is ours and your obedience to the Congress call automatically transfers to it the duty of

guarding your honour. The Committee is also solicitous equally with you about Sheikh Abdullah's case and the welfare of the Kashmir people. Therefore I expect you to return in answer to this. You will tell Maharaja Saheb that as soon as you are freed by the Congress you will return to Kashmir to retrieve your honour and fulfill your mission."(*Draft reply to Jawaharlal Nehru*, June 21, 1946, CWMG, Vol.91 pp.180–81)

Gandhi's letter to Nehru and the Gandhi drafted CWC resolution on Kashmir (which follows later) beg the following questions:

- Why was Prime Minister Ramchandra Kak compelled to arrest Sheikh Abdullah in May 1946?
- Why did Gandhi equate Nehru's honour with the honour of the Congress and why was the Congress obliged to defend Nehru's honour?
- When Gandhi kept himself abreast of world politics and had an opinion on Hitler, the persecution of Jews and even Syria and Lebanon's freedom from French colonial rule, did he not know what was happening inside Jammu and Kashmir and why Sheikh Abdullah had to be imprisoned and tried for sedition?
- On what authority was the Congress sending a Commission of Inquiry into a sovereign State?
- Did Gandhi really think that the State administration which acted firmly to keep Nehru from fishing in the troubled waters of Kashmir, would allow a USCIRF-like committee with no legitimacy inside Kashmir, to enter the State?
- Was Gandhi grandstanding as usual or was he hoping to provoke Pandit Ramchandra Kak to unleash what Gandhi and his INC termed "repressive measures"?
- Was Nehru really arrested as the Congress claimed or merely detained at Muzaffarabad and then Uri with

all creature comforts at his disposal paid for by the Kashmir Government?

- Was Sheikh Abdullah really labouring for freedom and what exactly did Gandhi and the INC mean when they spoke about "cause of freedom in Kashmir'? There are no answers to "freedom from what and freedom from whom?

3. Sheikh Abdullah: Congress-backed Pretender to the Throne

Section 1

10. Distinguished advocates from India, members of the Congress, were deputed for Sheikh Abdullah's defence, including Mr. Asaf Ali, who remained in Kashmir during the whole period the trial was in progress. Simultaneously, attempts were made by the Congress leaders to bring pressure on the Kashmir Government with the object of securing Sheikh Abdullah's release.

Note: The same Indian National Congress did not lift its little finger when Tilak and Aurobindo were imprisoned for sedition; instead, Gokhale, a distinguished lawyer of the times, who had serious differences with Lokmanya Tilak, in consultation with London, used the vacuum to begin the process of bringing Gandhi back to India from South Africa. And the same Nehru, who Gandhi said was so attached to Sheikh Abdullah that he would readily lay down his life for him, would arrest Sheikh Abdullah in August 1953 for treason and keep him in prison for several years without trial!

11. Pandit Kak was requested to meet Sardar Patel at Bombay. He went and met him there three times at Mr. Dahyabhai Patel's flat on the Marine Drive. At the last of these meeting Mahatma Gandhi was present. Both Mahatma Gandhi and Sardar Patel impressed on Pandit Kak how prudent it would be for him to arrange the release of Sheikh Abdullah. Mahatma Gandhi said such was the importance

that Pandit Nehru attached to his relations with Sheikh Abdullah that "he would be prepared to lay his life down for him."

12. The subsidiary point raised at the last meeting with Sardar Patel—Mahatma Gandhi being present, was the renewal of Pandit Nehru's previously prevented visit to Kashmir. Pandit Kak undertook to make it possible, and to explain the position to the Maharaja so far as Pandit Nehru's visit to Kashmir was concerned. Pandit Nehru did in fact later (end of July 1946) visit Kashmir and he was given permission to see Sheikh Abdullah. In fact, he saw him daily at the place of his detention so long as he was in Srinagar.

13. Later, the Working Committee of the Congress or was it the AICC passed a resolution condemning the Kashmir Government and appointing a commission comprising Mr. Jairamdas Daulatram and Sri Prakasa to hold an inquiry with regard to the happenings in connection with Sheikh Abdullah's agitation, arrest, trial and conviction. The Kashmir Government refused to acknowledge the authority of the Congress to appoint such a Commission which consequently was not appointed.

Note: "Recent events in Kashmir have been repeatedly considered by the Working Committee and the Committee have been greatly affected by them. They refrained, however, from expressing any opinion as they hoped that the situation could be handled satisfactorily by friendly mediation. Their approaches, however, to the State authorities had an unfriendly response, and the situation has progressively deteriorated, involving repression of, and suffering for, the people. Recently, the popular leader of the people and the President of the Kashmir National Conference, Sheikh Abdullah was sentenced to three years' imprisonment. This has added to the gravity of the situation and distressed and angered large numbers of people within and outside the State. When Pandit Jawaharlal Nehru went to

Kashmir and was arrested there, Maulana Abul Kalam Azad, the then President of the Congress, asked him to come back in order to continue the valuable work he was doing for the Congress in connection with the negotiations with the Cabinet Mission. Maulana Azad had assured him then, with the consent of the Working Committee, that the Congress would make his cause in Kashmir their own. Pandit Jawaharlal Nehru willingly returned, though not without misgivings. The Working Committee regret to find that his misgivings were justified. From all accounts received by the Committee, repression of an open as well as a subtle type is continuing, and the people connected with the Kashmir [National] Conference are being harassed in many ways. It is reported that while elections have been announced for the State Assembly, large numbers of names are being struck off the electoral rolls, and many prospective candidates for the election have been disqualified. **No attempt is being made to liberalize the Constitution and to make it more democratic and responsible.** In view of these reports, the Working Committee feel it necessary to send a deputation, consisting of persons of unquestioned ability and impartiality, to inquire into the reports of repression and suppression of civil liberties. The Committee, therefore, earnestly recommend to Kashmir State that they should invite such a deputation. Recent events in Kashmir have a large significance affecting the rulers and peoples of all the States in India and Committee trust that the States will welcome the step that they are taking in regard to Kashmir. While noting with deep regret the sentence passed on Sheikh Abdullah, the Committee would consider his incarceration as a worthy sacrifice if it results in the achievement of the freedom for which he was labouring. The Committee express their sympathy for all those who have suffered or are suffering for the cause of freedom in Kashmir." (*Congress Working Committee Resolution on Kashmir*, September 25, 1946, CWMG, Vol.92, pp.464–65) [Emphasis added]

Not only had Gandhi arrogated to himself the political right and authority to bring about the "total extinction of the States" through his destabilizing mission, he demanded that Jammu and Kashmir must make a new Constitution with Congress advice! And it was Congress' insistence to Prime Minister Ramchandra Kak to make a new Constitution which culminated in Nehru agreeing to Sheikh Abdullah's demand to constitute the Jammu and Kashmir State Constituent Assembly which gave shape to the separate and separatist Jammu and Kashmir State Constitution. **The country has to thank Gandhi and his undemocratic politics for the seminal idea which gave birth to Article 370.**

14. Then Sardar Patel wrote a letter to Pandit Kak, offering to pay a visit to Kashmir to effect a settlement. While welcoming Sardar Patel, Pandit Kak informed him that so far as the processes of law were concerned, the Government would be unable to interfere and therefore, in regard to Abdullah's release, there could be no question of a settlement derived from an executive order overriding the verdict of the court. Sardar Patel did not come to Kashmir.

15. It was against this background that the problem of accession was posed to the Kashmir Government in 1946, and the Kashmir Government's decision not to accede was communicated to the Government of India through the Resident. It may however be stated that notwithstanding the attitude of the Congress in regard to the Kashmir Government, the latter had in a written note handed to the then Secretary of the State for India, Lord Pethick Lawrence, during the Cabinet Mission's visit to Kashmir in April 1946, emphatically and unequivocally expressed their view that the British Government should forthwith transfer power in India to the Indian National Congress.

Note: While the Kashmir Government, notwithstanding the Congress' extreme hostility towards the Hindu Maharaja and Hindu Prime Minister of Kashmir, demanded of the

Cabinet Mission that power must be transferred promptly to the Congress, Gandhi, in keeping with his hostility for the Princely States and his purblind sentimentality towards the Muslim League, declared in 1942 that he was ready to hand over the whole of the Hindu nation—British India (Provinces under direct administration of the British Government) and the Princely States, the majority of which were Hindu Princely States, to the Muslim League!

"Provided the Muslim League co-operated fully with the Congress demand for immediate independence without the slightest reservation, subject, of course, to the proviso that independent India will permit the operations of the Allied armies in order to check Axis aggression and thus to help both China and Russia, the Congress will have no objection to the British Government transferring all the powers it today exercises to the Muslim League on behalf of the whole of India, including the so-called Indian India." (*Letter to a Muslim*, August 8, 1942, CWMG Vol.83, pp.186–87)

16. Sheikh Abdullah's detention without trial since 9th August 1953 onward, viewed against the background of the events of 1946, is not without an element of irony—the more so, as the ruling party in India and its leaders are the same as those who persistently tried for his release and transfer of power to him in 1946–47. [Underline as in original]

26. So long as it was thought that India would be one single unit, Pandit Kak's objection to accession was due to the identification of the Congress with Sheikh Abdullah and their refusal to see any other point of view than his. **Top Congress leaders insisted after the arrest of Sheikh Abdullah in May 1946, not merely that he should be released forthwith, but that a new constitution should be drafted for the state, with their advice, and power transferred to Sheikh Abdullah**. [Emphasis added]

Note: Prime Minister Ramchandra Kak left office on August 11, 1947; Pakistan invaded Kashmir on 22 October

1947. Maharaja Hari Singh, in the interim, had released Sheikh Abdullah in September.

Section VI

8. In September 1947, the Maharaja released Sheikh Abdullah before expiry of the term of imprisonment to which then he had been sentenced. His object in doing this was two-fold. Firstly, he hoped to put himself right with the Congress by building up an alibi with reference to Sheikh Abdullah's arrest and trial, viz., that it was the Prime Minister (Pandit Kak) and not he who was responsible for this and for the refusal subsequently to Abdullah's release. (This would, however, not have been easy, since the Maharaja had himself had rejected Shri Kriplani's plea for Sheikh Abdullah's release when Shri Kriplani came to Jammu in May 1947 and spoke to the Maharajah personally about it). The Maharaja's second object was to make a deal with Abdullah by offering the National Conference a couple more ministerships, there being already two elected ministers out of five in the Kashmir Government and the idea was to add two more to the total.

9. Sheikh Abdullah declined and publicly declared that the future of the State would be settled by the will of the people. India and Pakistan had at this time already come into existence as separate Dominions. After announcing this, he left for Delhi.

12. What Sheikh Abdullah was really gambling for and what his alliance with the Congress in effect provided, was an independent pricipality[sic] whose continued existence was guaranteed by the Indian armed forces and whose solvency was secured by the Indian treasury. There was, however, no idea of a quid pro quo from his side. He did not expect to be called to account either in respect of the internal administration of the State or the utilization of the funds supplied to him by the Indian Government [Emphasis added]

13. The curious thing is that despite the fact that he made no secret of his intentions, it took India no less than six years to make up its mind to face up to the true situation, viz, **that Sheikh Abduallh[sic] stood only for his own aggrandizement and that he had no affection for India, and no sue[sic -use] for her except to the extent she subserved his ends.** [Emphasis added]

Section 1

17. With the arrival of Lord Mountbatten in India as Governor General and Crown Representative, and the decision to partition India, the Kashmir Government's feelings with regard to non-accession became more pronounced....Kashmir was now asked, not merely as before to communicate its decision with regard to accession, but to state whether it would accede to India or Pakistan.

4. The dilemma of accession: Mountbatten's insistence on accession to Pakistan, and his pre-condition of plebiscite

Section 1

18. Lord Mountbatten visited Kashmir in June 1947 with the specific object of getting a decision from the Maharaja to accede. He had a talk with Pandit Kak on that occasion and subsequently in Delhi in the following month....Pandit Kak asked him point-blank to state as to which Dominion he advised Kashmir to accede. Lord Mountbatten, avoiding the direct reply, said, "That is entirely for you to decide. You must consider your geographical position, your political situation and the composition of your population and then decide." Kak rejoined, "**That means that you advise us to accede to Pakistan**. It is not possible for us to do that; and since that is so, we cannot accede to India". In other words,

since Kashmir would not accede to Pakistan, it could not accede to India.

21. ...Pandit Kak saw Jinnah also, and had a long talk with him. Mr. Jinnah advised him to accede to Pakistan and stated that Kashmir, by immediate accession would get far better terms from Pakistan than she was likely to get later. On being told that the State's decision not to accede was definite, Mr. Jinnah said that so far as he was concerned, he was prepared to concede that this was option which could be exercised by the State **and so long as the State did not accede to India, he would not mind if it did not accede to Pakistan.** [Emphasis added]

Note: "He (Mountbatten) accepted a long-standing invitation from the Maharajah to visit Kashmir again and went there in the third week of June. Lord Mountbatten spent four days discussing the situation and arguing with the Maharaja. He told him that independence was not, in his opinion, a feasible proposition and that the State would not be recognized as a Dominion by the British Government. He assured the Maharaja that, so long as he made up his mind to accede to one Dominion or the other, before August 15, no trouble would ensue, for whichever Dominion he would accede to, would take the State firmly under its protection as part of its territory. **He went so far as to tell the Maharaja that, if he acceded to Pakistan, India would not take it amiss and that he had a firm assurance on this from Sardar Patel himself. Lord Mountbatten went further to say that, in view of the composition of the population, it was particularly important to ascertain the wishes of the people**." (*Integration of the Indian States*, pp.451–52) [Emphasis added]

V.P. Menon does not cite any primary source for Mountbatten's bizarre claim that Sardar Patel had indeed assured Mountbatten that India would not "take it amiss"

if Maharaja Hari Singh acceded to Pakistan; **besides, it was not for Patel, Gandhi or the Indian National Congress to make the decision to alienate the territory of the nation**. Mountbatten's implicit threat, that if the Maharaja did not accede by August 15 there would be serious problems, must be read together with the fact that, as of August 15, the armed forces in both India and Pakistan were headed by British Officers and this was the situation even in October when the Pakistani army, packaged as tribal invaders occupied Kashmir in a well-planned operation. The invasion and occupation happened in the political and administrative vacuum created by the removal of Prime Minister Ramchandra Kak. This would have been known to MI5, to the British Officers in India and Pakistan, and certainly would have been known to Mountbatten.

5. When British Officers and the Muslim League made common cause in Gilgit

"Before the Jinnah-Mountbatten parleys took place, another drama had been enacted. I have already mentioned that soon after the announcement of the transfer of power, the Gilgit Agency had been retroceded to the Maharajah. The Maharajah then appointed a Governor for that area. The Governor, accompanied by Major-General HL Scott, Chief of Staff of the Jammu and Kashmir Army, reached Gilgit on 30 July. **On arrival they found that all the officers of the British Government had opted for service in Pakistan**. There was no State civil staff available to take over from these officers. The Gilgit Scouts also wanted to go over to Pakistan. In addition to the Scouts, 6 J&K battalion (half Sikhs and half Muslims) was the only State force unit available.....At midnight of 31 October, the Governor's residence was surrounded by the Gilgit Scouts. The next morning the Governor was put under arrest and a provisional government was established by the rebels. **The Muslim**

elements (including officers) in the State force garrison had deserted; the non-Muslim elements were largely liquidated. Those who survived escaped to the hills and then joined the State force garrison at Skardu. On 4 November, Major Brown, the British Commandant of the Gilgit Scouts ceremonially hoisted the Pakistan Flag in the Scouts' lines and in the third week of November, a Political Agent from Pakistan established himself at Gilgit (*Integration of the Indian States*, pp.463–64) [Emphasis added]

6. Mountbatten's pre-conditions for accepting the Instrument of Accession

"On the evening of 24 October, the Government of India received a desperate appeal for help from the Maharajah. They also received from the Supreme Commander information regarding the raiders' advance and possible intentions. On the morning of 25 October, a meeting of the Defense Committee was held, presided over by Lord Mountbatten. This committee considered the request of the Maharajah for arms and ammunition as also for reinforcement of troops. Lord Mountbatten emphasized that no precipitate action should be taken until the Government of India had fuller information. It was agreed that I should fly to Srinagar immediately in order to study the situation on the spot and to report to the Government of India....

The Maharajah was completely unnerved by the turn of events and by his sense of lone helplessness. There were practically no State Forces left and the raiders had almost reached the outskirts of Baramula.

We left Srinagar in the first light of the morning of 26 October and immediately on my arrival in Delhi, I went straight to a meeting of the Defence Committee. I reported my impression of the situation and pointed out the supreme necessity of saving Kashmir from the raiders. Lord Mountbatten said that it would be improper to move Indian

troops into what was at the moment an independent country as Kashmir had not yet decided to accede to either India or Pakistan. If it were true that the Maharajah was now anxious to accede to India, then Jammu and Kashmir would become part of Indian territory. This was the only basis on which Indian troops could be sent to the rescue of the State from further pillaging by the aggressors. **He further expressed the strong opinion that in view of the composition of the population, accession should be conditional on the will of the people being ascertained by a plebiscite after the raiders had been driven out of the State and law and order had been restored. This was readily agreed to by Nehru and other ministers.**

Soon after the meeting of the Defence Committee I flew to Jammu accompanied by (Prime Minister) Mahajan....The Maharajah was asleep;...I woke him up and told him of what had taken place at the Defence Committee meeting. He was ready to accede at once. He then composed a letter to the Governor General describing the pitiable plight of the State and reiterating his request for military help. He further informed the Governor General that it was his intention to set up an interim government at once and to ask Sheikh Abdullah to carry the responsibilities in this emergency with Mehr Chand Mahajan, his Prime Minister." (*Integration of the Indian States*, pp.455–58) [Emphasis added]

Note: At the time of crisis when every hour mattered and when Pakistani soldiers were approaching Srinagar, Mountbatten refused to act promptly. V.P. Menon's narrative has no mention of Gandhi's response, if any, or Sardar Patel's views on the issue of delayed response and Mountbatten's pre-condition for plebiscite. I return to one of my core submissions in the book *Eclipse of the Hindu Nation* that either Gandhi had no conception of Hindu nation or he did not subscribe to it. The Hindu Nation historically has always had well-defined borders. The kingdom of Jammu

and Kashmir was well within the Hindu nation's borders. I also return to the other despairing question: Why was Sardar Patel silent on those occasions when he should have been on the warpath. As Home Minister of independent India, sending Indian troops to Jammu and Kashmir ought to have been his decision and that of his Prime Minister. Mountbatten had no locus standi. For a man who was nitpicking on Kashmir's independent status as posing a hurdle to sending in Indian troops, Mountbatten failed to respect the borders which governed the duties and responsibilities of the Home Minister of independent India. Why did Sardar Patel not send the Indian troops on the 22nd or even 23rd October when Pakistan launched its all-out invasion of Jammu and Kashmir, and why did he allow Mountbatten to make plebiscite a pre-condition?

7. Why did the Kashmir State Troops offer no resistance to the invading Pakistani army?

Section V

41. The question why the Kashmir State troops put up little or no resistance against the raiders in October 1947, it needs an answer. When Pandit Kak relinquished office on 11th August 1947, it became clear to the people of the State that his policy and methods would now no longer be followed. Consequently, the confidence which the people had felt and by reason of which they had remained calm and untroubled when blood was flowing freely between the two major communities in the Punjab and North-West Frontier Province, often within their own sight and hearing, was shattered. That being so, maintenance of law and order would under the new circumstances prevailing require far greater resources than were available to the successor State Government.

42. Secondly, Pandit Kak's elimination was followed by what can only be termed the decapitation of the entire

administration. The Revenue Minister was retired a few days later; the Chief Secretary, the Chief of the Army Staff, the Inspector-General of Police, the Governor of Kashmir, the Director of Civil Supplies, the Chief Engineer and other important officers, were almost immediately removed from their office, and in their place were appointed people of little or no experience and some of doubtful reputation, the majority belonging to one community, the Maharaja's own. Naturally, when the shock came, there was no one in high authority willing to take responsibility and capable of taking adequate action. The new Prime Minister, an estimable old gentleman now nearly 80 years old, was not physically or mentally able to bear the strain of the stenuous[sic] events confronting him. On assuming office, he took to his bed and seldom emerged from it till he handed over charge on 15th October. He was a good man and had been a loyal servant in his day, but he was not, as can be well imagined, the man to steer the Government to safety in the storm which had now begun to rage inside as well as outside. The Maharaja was hag-ridden by superstition in the person of his Guru, Swami Sant Dev and was unable to make up his mind firmly in any matter.

No wonder then that the ship floundered. [Emphasis added]

Note: This is just one-half of the narrative of why the State troops put up no resistance. The other more alarming and nerve-chilling half is detailed in *Integration of the Indian States*.

"The all-out invasion of Kashmir started on 22 October 1947. The main raiders' column, which had approximately two hundred to three hundred lorries, and which consisted of frontier tribesmen estimated at five hundred—Afridis, Wazirs, Mahsuds, Swathis, and soldiers of the Pakistani Army "on leave"—led by some regular officer who knew

Kashmir well, advanced from Abbotabad in the NWFP along the Jhelum Valley Road. They captured Garhi and Domel and arrived at the gates of Muzzafarabad. The State battalion consisting of Muslims and Dogras stationed in Muzaffarabad, was commanded by Lt. Colonel Narain Singh. **All the Muslims in the battalion deserted; shot the Commanding Officer and his adjutant; joined the raiders, and acted as advance-guard to the raiders' column.**

The raiders then marched towards Baramula along the road leading to Srinagar; their next destination being Uri. **All the Muslims in the States Forces had deserted and many had joined the raiders.** When Brigadier Rajinder Singh, the Chief of the Staff of the State Forces , heard of the desertion of the Muslim personnel and the advance of the raiders, he gathered together approximately 150 men and moved towards Uri. There he engaged the raiders for two days and in the rearguard action, destroyed the Uri bridge. The Brigadier himself and all his men were cut to pieces in this action." (*Integration of the Indian States*, pp.454–55) [Emphasis added]

Note: Pandit Ramchandra Kak summed up Sheikh Abdullah brilliantly well when he said what Sheikh Abdullah wanted was an independent principality whose continued existence was guaranteed by the Indian armed forces. From 1947, to this day, our armed forces from the rest of India are continuing to die for the Sunni jihadi parasitical Kashmir valley so that the Abdullah clan may perpetuate itself at the expense of the Hindu taxpayer; so that descendants of Nehru can look the other way when descendants of Abdullah's community commit genocide and evict Kashmiri Pandits from their homeland; so that Mehbooba Mufti and Omar Abdullah can both declare that they will not only not permit a Hindu Chief Minister in the State, they will also not allow a sainik colony or allow Kashmiri Pandits to be settled in a

secure enclave, both of which threaten to alter the prevailing religious demography of the Kashmir Valley.

8. Why did both Congress and Maharaja Hari Singh want Prime Minister Ramchandra Kak to step down?

Section 1

24. As stated in the beginning, there was no difference of opinion between the Maharaja and Pandit Kak with regard to the policy of non-accession, though the reasons which either had for holding their opinions were not identical, particularly in so far as accession after the partition of India was concerned.

25. Pandit Kak, however, was fully aware of how the Maharaja's mind was working. So, when things began to go badly for the State towards the end of August 1947, he was not surprised to find the Maharaja making arrangements to keep him in Kashmir, fearing lest on going out he might expose him and his real aims. Trumpery charges were fabricated against him, and the Maharaja instituted a commission of inquiry. When, despite this, Pandit Kak made arrangements to leave Srinagar, an order of detention was passed against him on the ground that "his leaving the State would be prejudicial to the State's reactions with other Governments. This persecution was initiated by the Maharaja to mark the discrepancy between his real intentions and what he wished the Congress, and those elements inside the State which urged immediate accession to India, to believe. It was later carried on by Sheikh Abdullah, not it would seem from any motive of his policy, but rather as a convenient method of paying off old scores.

Section VII

6. As stated above, when the question of accession was first mooted, the State Government's reaction was that it would not accede. So far as the Maharaja was concerned, his

inclination was reinforced by the faith he had in his Swami, Swami Santdev....

7. Such was the domination acquired by the Swami over the Maharaja, and such his reputation as the decisive influence in moudling[sic] the Maharaja's mind, that even Pandit Jawaharlal Nehru when he came to Kashmir for the second time in 1946, paid a call on him.

8. The Maharaja believed that after the departure of the British from India, he would through the potency of the Swami's supernatural powers, be able to extend his territory and rule over a much larger dominion than that already comprised in the Jammu and Kashmir State. A good deal of propaganda was being carried on in the State and in the Punjab, about the formation of what some people then called Dogristan in which it was hoped to include, besides the Jammu and Kashmir State, the districts of Kangra and the States and areas now mostly included in the Himachal Pradesh.

9. In June 1947, the Maharaja of Sirmur and the Rajas of Mandi and Jubbal came to Srinagar and stayed with the Maharaja as his guests. One evening the Maharaja sent for Pandit Kak and introduced him to his princely guests. He then showed him a draft agreement, in which were defined the aims and objectives of the proposed federation and the safeguards in relation to dynastic matters of the ruling families. Kak offered no comment at that time beyond asking for time to think. Next morning, however, he explained to the Maharaja how futile and impracticable such an idea was, and how utterly unrealistic it was for anybody to imagine that the forces which had compelled the British to leave India, would allow the creation of the new empire in their midst. Kak added that the utmost that one could hope for in conditions now emerging, was the survival of the Jammu and Kashmir State as already constituted and any expectation beyond that or any move in the direction contemplated by

the Maharaja and his guests was sure invitation to disaster. So far as Kak was concerned, the matter came to an end there.

11. The cold douche administered to his hopes by Pandit Kak was, therefore, never forgotten nor forgiven, either by him or his Swami, or by the Court favourities[sic] and hangers-on who expected to benefit from the expanded empire.

13. Finding Pandit Kak as Prime Minister not amenable to his wishes and feeling that the Maharaja might perhaps jib at being directly asked to remove his Prime Minister, the Swami embarked on bringing about an understanding between himself and the leaders of the Indian National Congress, who already had their own reasons for not approving of an administration in the State, which had consistently refused to yield to coercion in the matter of Sheikh Abdullah.

14.....Pandit Kak, though previously, on occasion, puzzled by stray hints dropped in various quarters, finally became aware of the dispatch of these messages when he met Sardar Patel in July 1947, at the time he went down to Delhi at the request of Lord Mountbatten to attend the Conference of the States Ministers.

15. Sardar Patel started by showing him a copy of a letter from Khurshid Ahmed, Mr. Jinnah's Personal Assistant, to Ch. Hamid Ullah Khan....as regards the attitude of the Muslim Conference during the forthcoming visit of Mahatma Gandhi to Kashmir. **Mahatma Gandhi was to be the guest of Begum Abdullah and the idea seems to have been that the National Conference would ask the Mahatma Gandhi to use his influence to bring about Pandit Kak's removal**...[Emphasis added].

16....Sardar Patel concluded by asking me to tell Your Highness that this state of affairs was unfortunate and that in these crucial days it was essential that the Maharaja and the

Prime Minister pull together and if that was not possible, the situation should be brought to an end immediately.....

17. The Maharaja was now in the horns of a dilemma. He has to choose between his Swami and his Prime Minister. Inevitably, he chose the Swami.

19. On the 25th October night, the Maharaja left Srinagar as a refugee. The Swami was also in the train, but in the course of the journey, on the way to Jammu, they finally parted company. **It was the end of an association which had cost the Maharaja dear.** [Emphasis added]

Note: As epitaph for the Hindu-Buddhist Kingdom of Jammu, Kashmir, Ladakh and the Tibets, Prime Minister Ramchandra Kak could not have put it better.

* * * * *

PART 3

Closing Word

It took the Congress less than 18 months to gift away the State of Jammu and Kashmir to Sheikh Abdullah and just 15 months to manipulate the removal of Prime Minister Kak which in turn created the administrative vacuum utilized to the hilt by Pakistan. What is more horrifying is the casualness with which V.P. Menon, Secretary in the Ministry of States entrusted with persuading all Princely States to sign the Instrument of Accession, narrates the cataclysmic events of 1947 in Jammu and Kashmir in his book *Integration of the Indian States*.

"Shortly before the transfer of power, Pandit Kak was replaced as Prime Minister by Major-General Janak Singh. The Government of Jammu and Kashmir then announced their intention of negotiating Standstill Agreements with both India and Pakistan. Pakistan signed a Standstill Agreement. But we wanted time to examine the implications. We left the State alone. We did not ask the Maharaja to accede, though at that time, as a result of the Radcliffe Award, the State had become connected by road with India. Owing to the composition of the population, the State had its own peculiar problems. Moreover, our hands were already full and, if truth be told, I for one had simply no time to think of Kashmir. (*Integration of the Indian States*, page 458)

This was the Secretary, Ministry of the States speaking and he has the audacity to claim he had no time to think of Kashmir. V.P. Menon compounds his offence when he speaks of the territory of the nation as if national territory were merely coins in a game of dice where you win some and lose some.

"When India was partitioned and Pakistan became a separate state, India lost an area of 364,737 square miles and a population of 81.5 million; but by the integration of the states, India received an area of nearly 500,000 square miles with a population of 86.5 million. India was adequately compensated." (*Integration of the Indian States*, page li)

When Maharaja Hari Singh signed the Instrument of Accession, the kingdom over which he ruled—Jammu, Kashmir, Ladakh and the Tibets became a part of India. The strategic importance of Ladakh cannot be overstated; the kingdom of Ladakh included western Tibet too and that is why the correct name for the kingdom of Maharaja Hari Singh includes "the Tibets". Ladakh connects the north-west frontiers of India with the Karakoram and other mountain passes in the Himalayas to Central Asia. Ladakh was thus not only vital for trade and commerce but also for India's national security.

Arrogating to himself Gandhi's right to speak for the Government of India, V.P. Menon added another facet to his 'territorial" folly: "We had no territorial ambitions in Kashmir. If the invasion by the raiders had not taken place, I can say in the face of any contradiction that the Government of India would have left Kashmir alone." (*Integration of the Indian States*, page lxxvii)

Gandhi went to Srinagar in August 1947 precisely at the time when the rest of the country was being torn apart by vivisection, a vivisection which Gandhi said would happen only over his dead body! When Gandhi went to Srinagar in August 1947 as Begum Abdullah's guest, Gandhi would have certainly seen how perilously close the State was to descending into chaos and anarchy because of his behind-the-scenes maneuverings against the Prime Minister and yet, such was his infatuation for Nehru that he was unforgiving of Prime Minister Ramchandra Kak for daring to keep Nehru out of Srinagar and for daring to reject his (Gandhi's)

demand for Sheikh Abdullah's release. Gandhi therefore did nothing to heal the fissures between the Congress and Pandit Kak and between the Maharaja and his Prime Minister. The State of Jammu and Kashmir and the hapless people of the State were not Gandhi's priority; seeking the extinction of the Hindu-ruled Princely State of Jammu and Kashmir was, and Pandit Kak and the people of the State were just collateral damage. Just how uncaring Gandhi was about loss of more territory to Pakistan is best judged by his threat to go on an indefinite fast if Patel did not honour the promise to Pakistan to hand over Pakistan's share of pre-partition treasury funds.

Sardar Patel did not demur, did not protest when Mountbatten insisted on plebiscite as pre-condition to sending Indian troops to Srinagar; Patel did not publicly resist or condemn Nehru for promising Sheikh Abdullah his own State Constitution nor did he refuse to support the pernicious Article 370 from being tabled and then accepted by the Constituent Assembly to be subsequently made a part of the Indian Constitution.

The Instrument of Accession (IoA) is the binding legal document which makes *Jammu, Kashmir, Ladakh and the Tibets* and all Princely States integral parts of India. Anything outside of the IoA is not binding upon the Indian State. Plebiscite, separate Constituent Assembly, separate State Constitution and Article 370 do not find any mention in the Instrument of Accession as pre-conditions for accession and are therefore not binding upon the Government of India. Indian Parliament in one voice can reject all sops and concessions made to Sheikh Abdullah by Gandhi, Nehru or any other leader of the Indian National Congress.

If Gandhi erred horrendously when he encouraged Nehru to prop up Sheikh Abdullah against the King, he erred more grievously when he made Nehru his political heir and thus India's first Prime Minister for what is an unbelievably frivolous reason:

"But I give you a tip. I was not joking when I made a statement some time back in answer to Sir Feroz Khan Noon at San Francisco, that Pandit Jawaharlal Nehru is my heir. He has got ability, knowledge and close touch with the public here and can interpret India's mind. I have already, as I wrote to Lord Linlithgow, taken him as my guide in international affairs. He can interpret India's mind to the outside world as no one else can." (*Interview to Preston Grover*, CWMG, Vol.87, pp.189–91)

Obviously Nehru failed to "interpret India's mind to the outside world". Nehru and Gandhi watched as Imperial London vivisected the nation; they watched as Pakistan invaded and occupied Jammu and Kashmir. Nehru obedient to Mountbatten's suggestion that he should not continue with the military offensive to drive Pakistan out of the occupied territories, was pushed by Mountbatten to take India's case to the United Nations which, Mountbatten assured Nehru, will deal with Pakistan's invasion and occupation of Indian territory in Jammu and Kashmir. Nehru failed in the United Nations too. Gandhi anointed Nehru as his political heir, whatever that may mean; what is obvious was Gandhi made Nehru the Prime Minister of India for the only reason that "he can interpret India's mind to the outside world".

If Gandhi's actions had the most destructive consequences for the Hindu nation, Patel's, Rajaji's, Munshi's and Rajendra Prasad's silence had equally destructive consequences too. Imperial London's plan to paratroop Gandhi into India in 1915 and to maneuver him as leader of the INC yielded spectacular results. In 1947, Mountbatten, the Muslim League and Sheikh Abdullah got what they wanted. Kashmir's original Hindu populace, the Kashmiri Pandits and undivided India's Hindus who were forced to abandon their homes in the newly created jihadi state of Pakistan and who fled to India, Ladakh's Buddhists

and Pandit Ramchandra Kak who suffered years of exile in genteel poverty in Himachal Pradesh, have become the invisible, silent and forgotten victims of Gandhi's politics.

If Prime Minister Modi is indeed genuinely committed to honouring Sardar Patel's tireless efforts to integrate the Princely States with the Indian Union, he should constitute a committee comprising the best legal minds in the country to find a way to get rid of Article 370 which is a festering wound of separatism and retrieve those territories of Jammu and Kashmir under the illegal occupation of China and Pakistan, to integrate Jammu and Kashmir with finality into the Union of India.

Prime Minister Ramchandra Kak's Paper is a document of national significance and must be read in full to appreciate his political prescience and integrity. He was a proud Kashmiri Hindu and in the Epilogue he makes an eloquent argument for the Hindu case and cause for Kashmir. He shows clearly, albeit implicitly, how it is Hindus who served British interests for India, and it is Hindus who furthered Kashmiri Sunni anti-India interests. The Sunnis themselves acted quite consciously in their own Sunni interest, manipulating gullible Hindus to their own destruction with the bogus idea of "kashmiriyat"; as the Kashmiri Sunnis do even now—and Pandit Kak almost 70 years ago recognized and forecast they would.

Prime Minister Ramchandra Kak's Epilogue in the 22–page document is a brilliant counter to the jihadi Sunni Muslims of the Kashmir valley who, after persecuting and genociding the Hindus, and having seized the territory of Kashmir from the kingdom's original native Hindu populace are now claiming the valley for their own. Pandit Ramchandra Kak's Epilogue in his 22 page narrative of the history of Kashmir in 1946–47 is a perceptive counter to the Sunni Muslim political leadership including America's

creature, the Hurriyat, the Mufti and Abdullah clans who have publicly declared that they will not allow any change in the religious demography of the Kashmir Valley.

Section VIII Epilogue

10. In reply to a question how it could be possible for India to expect to retain the Valley of Kashmir with a 95% Muslim population contiguous to the entirely Muslim area of the North-West Frontier Province, he replied that it was a misunderstanding of the whole position to treat the status of the Valley of Kashmir as affecting only the residents therein and to think of deciding its future with reference only to the composition of its population. The Valley of Kashmir had, from time immemorial, been an important constituent of the corpus of Hindu religious thought and religious practice, and for that reason, had since the dawn of history, enjoyed a reputation and consideration, wholly independent of its political or economic importance. In considering any solution for the present impasse it was not enough to relate the solution only to the composition of the population at present residing in the Valley, for the reason that the entire Hindu population of India was intimately concerned with the fate of Kashmir, irrespective of where their habitation might be. It was not a case of individual temples and shrines, but the whole country as such being reverenced as Holy Land, and including within its mountain walls, the replicas of all the important holy places of the Hindus in India. The apparent inconsistency, discernible in the Indian attitude in respect of Kashmir had to be viewed in the light of these facts. Politically minded Indian leaders wedded to the ideals of democracy and secularism might find it difficult officially to base an argument on the strength of religious sentiment and background. Nevertheless, religious sentiment and background even though lacking official imprimatur could not be lightly brushed aside. In fact, among people in whose lives religion still plays a dominant and vital role, its pull

though invisible and unexpressed, could be ignored only at their peril. The argument based on this feeling, Pandit Kak added, would not be unique in the case of India. If the Jews could get back Israel after 2000 years of exile, why should it be considered extraordinary if India wanted to retain Kashmir which was already in its possession?

11. It cannot too often be stressed that Kashmir's Hindu affiliations represent a living tradition going back through countless centuries to the time when the waves of migratory Aryans were still marching down the Himalayan passes into India's green and golden plains.

Note: "Migratory Aryans" apart, Pandit Kak is describing the Hindu nation; he defined the civilizational roots of the Hindu nation and placed Kashmir squarely within its borders. Gandhi decried Western Civilization in the much-touted *Hind Swaraj* but sought extinction of India's Hindu Princely States for Western notions of democracy and governance. Hindu nationalists must begin to understand Gandhi's Indian National Congress for what it had become after the passing away of Tilak—an anti-Hindu social reform instrument driven by non-Hindu political ideas.

Prime Minister Modi, his government, historians, scholars and public intellectuals must bite the Gandhi bullet to initiate and entrench corrective policies and decisions in Jammu and Kashmir. Gandhi re-defined Tilak and Aurobindo's *swaraj* to be anything other than total and complete political independence. When Gandhi took charge of the INC and led the freedom struggle, this is how he described *swaraj* and it had nothing to do with political independence or end of British rule:

"Real Home Rule is self-rule or self-control
The way to it is passive resistance: that is, soul force or love force. (*Hind Swaraj*, Chapter XX, *Conclusion*)

If we bear in mind the above fact, we can see that, if we (the individual) become free, India is free. And in this thought you have a definition of *swaraj*. It is *swaraj* when

we learn to rule ourselves. It is therefore in the palm of our hands. Do not consider this *swaraj* to be like a dream. Here there is no idea of sitting still. The *swaraj* that I wish to picture before you and me is such that, after we have once realized it we will endeavor to the end of our lifetime to persuade others to do likewise. But such *swaraj* has to be experienced by each one for himself....Now you will have seen that it is not necessary for us to have as our goal the expulsion of the English." (*Hind Swaraj*, Chapter XIV, *How can India become free*)

In startling contrast, when Gandhi personally and his INC destabilised the Princely States, they did not do it for soul-force, love-force or inner realization. Gandhi wanted regime change in Jammu and Kashmir; Gandhi wanted power to be transferred to Sheikh Abdullah in the name of civil liberties and democracy. Gandhi did not want the British to be expelled from the Provinces in India which were directly under British rule for his queer notion of *swaraj*, but wanted the extinction of the Princely States for the political independence of the people of the Princely States. This was Gandhian double-standards with horrific consequences for the Hindus of Jammu, Buddhists of Ladakh and other non-Wahabbi Muslims and tribal people of the state.

India is a nation of Hindus. While persons professing the Abrahamic and other faiths may live with all rights and freedoms guaranteed by the Indian Constitution to all citizens, they may not claim this territory to be their own for separatist and secessionist ends. Jammu and Kashmir tests Hindu resolve to protect the Hindu nation from aggression by anti-Hindu and non-Hindu forces.

Point 8 in the Jammu and Kashmir Instrument of Accession says:

"Nothing in this Instrument affects the continuance of my sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority

and rights now enjoyed by me as Ruler of this State or the validity of any law at present in force at in this State."

[Link to true copy of the Instrument of Accession signed by Maharaja Hari Singh

http://www.vigilonline.com/index.php?option=com_content&view=article&id=2329:exclusive-for-the-first-time-a-true-copy-of-jammu-a-kashmirs-instrument-of-accession&catid=95:pictures&Itemid=143]

Gandhi, Nehru and the Government of India did not live up to or fulfill their obligation to the Maharaja as contained in point 8 of the IoA. Instead, Sheikh Abdullah, the Pretender to the Throne, ascended the throne with a separatist state constitution and Article 370 in tow. The ultimate tragedy of Prime Minister Ramchandra Kak's removal on August 11, 1947 is best summed up by Pandit Kak himself:

"Sheikh Abdullah's detention without trial since 9th August, 1953 onward, viewed against the background of the events of 1946, is not without an element of irony—the more so as the ruling party in India and its leaders are the same as those who persistently tried for his release and transfer of power to him in 1946–47."

There is a graphic description of the ultimate price that Pandit Ramchandra Kak paid for being a steely-spined Hindu in the jihadi parasite Kashmir Valley:

"Moti Lal Saqi, Padmashree Awardee, in his book had also mentioned how ***R.C. Kak was humiliated by the late Sheikh Mohd. Abdullah, when he was paraded through main bazaar of Harisingh street in Srinagar city, with both his hands tied with a cord made of twisted paddy hay and people were ordered to shower shit and filth from their housetops over R.C. Kak.*** *Kak was forced to give statement against Maharaja Hari Singh rule. But he did not utter a single word against the Maharaja. It is sad to notice, when Kak died on 10th Feb 1983, in Srinagar his death was not even condoled. The political enmity between R.C. Kak and*

Sheikh Mohd Abdullah had begun when the latter was arrested on 24th May 1946 on the charges of opposing the Maharaja's rule." (*Author of Independent Kashmir: R.C. Kak by R.C. Ganjoo*, October 7, 2014 http://www.boloji.com/index.cfm?md=Content&sd=Articles&ArticleID=16343. See also Ram Chandra Kak: An Intellectual with Integrity by S.N. Pandita, Naad, July 2007, page 18) [Emphasis added]

While I am horrified that Sheikh Abdullah, whom Gandhi and the INC backed and projected as the democratic alternate to monarchy, could actually drag Pandit Ramchandra Kak and his brother through the streets of Srinagar on their way to the court, I am not surprised. Islam does not deal kindly with kaffirs; what Sheikh Abdullah did to Pandit Ramchandra Kak in 1947 was only a prelude to what sunni Muslims of the valley would do to Kashmiri Pandits forty years later.

"The Sultan then asked, "How are Hindus designated in the law, as payers of tributes or givers of tribute? The Kazi replied, "They are called payers of tribute, and when the revenue officer demands silver from them, they should tender gold. If the officer throws dirt into their mouths, they must without reluctance open their mouths to receive it. The due subordination of the zimmi is exhibited in this humble payment and by this throwing of dirt in their mouths. The glorification of Islam is a duty. God holds them in contempt, for he says, 'keep them under in subjection'. To keep the Hindus in abasement is especially a religious duty, because they are the most inveterate enemies of the Prophet, and because the Prophet has commanded us to slay them, plunder them, enslave them and spoil their wealth and property. No doctor but the great doctor (Hanafi), to whose school we belong, has assented to the imposition of the jizya (poll tax) on Hindus. Doctors of other schools allow no other alternative but Death or Islam." (*Tárikh-i Fíroz Sháhí of Ziauddin Barani in The History of India, as Told by Its Own Historians. The Muhammadan Period*, HM Elliot & Sir John Dowson, London, Trlbner & Co., Vol.3, page 184)

Pandit Kak and his older brother must be eternally thankful to Sheikh Abdullah that instead of being asked to open their mouths to eat dirt, they had dirt and other filth only thrown at them by sunni Muslims of the National Conference. Let us remember this was happening to Pandit Ramchandra Kak immediately after Maharaja Hari Singh disappeared into the sunset, after handing over the Hindu-Buddhist Kingdom to Sheikh Abdullah. Maharaja Hari Singh fled to Jammu on the 25th October 1947, but had placed Pandit Ramchandra Kak and his family under house arrest since September 16, 1947. They were arrested at Srinagar Airport on the way to England. Because detention orders against Pandit R.C. Kak had not been revoked even in October 1947, he could not leave Srinagar for the safety of Jammu or anywhere else outside the State, when power was transferred to Sheikh Abdullah as one of the two pre-conditions imposed by Mountbatten for sending Indian troops to Srinagar.

It bears mention that Sardar Patel could or did not intervene to secure Pandit Kak and his family from Sheikh Abdulah's Islamic wrath. Rai Bahadur Pandit Ramchandra Kak Paper tells us why Hindu nationalists must fiercely resist any attempt to force them to become mute witnesses in the Kaurava Court where Abdullahs and Muftis sit on the throne and the Hurriyat plays Duryodhana.

The Kaurava Court was adharmic and earned Srikrishna's wrath not only because of the presence of evil which violated dharma but also because the forces of good were paralysed and lost in the darkness of non-truth; and because they chose darkness over light, the silence, apathy and overwhelming sense of helplessness of Bhishma, Drona, Vidura and Kripacharya only emboldened and strengthened the forces of evil. Indian polity or "politically minded Indian leaders" as perceptively pointed out by Pandit Ramchandra Kak, "wedded to the ideals of democracy and secularism might find it difficult officially to base an argument on

the strength of religious sentiment and background." The Kaurava Court is therefore not just Dhritrashtra, Duryodhayana and Dushasana but also Bhishma, Drona, Kripacharya and Vidura.

To put it succinctly, Hindus must resist fiercely and with all their might any attempt to silence them or force them to inaction. Hindu political leaders, Hindu organizations and Hindu nationalists across the political spectrum must begin to think about reclaiming the Hindu Nation in Kashmir.

* * * * *

Afterword

Since I have been associated, through Krishen Kak, with Radha Rajan's monograph, I thought it appropriate to write a few words about the much-maligned Pandit Ramchandra Kak, the Prime Minister of the Princely State of Kashmir at the time of the Partition of India in 1947. I do so, because all that is written about him is very personal to me, being his daughter. It is not my intent to revisit the politics and the machinations of the Partition; however, a few words about that, too, maybe in order.

The partition of India was an ill-conceived idea promoted by the British in order to maintain a foothold on the subcontinent, necessitated by the emergence of the Cold War; it was an unmitigated 'folly' (to borrow the word from Barbara Tuchman's *The March of Folly*).

The disastrous consequences of this partition—brought about by the Mountbatten-Gandhi-Nehru trio (with other functionaries like Sheikh Abdullah)—are still lived by the divided people every day and the situation has only worsened with the passage of time.

The consequences have been the most disastrous for Kashmiri Pandits—the original inhabitants of Kashmir. Consider this: in 1000 AD Kashmir was 100% Hindu while in 2000 AD it was 0% Hindu—a steady elimination of Kashmiri Pandits over the millennium. It is unprecedented that no notice of their plight has been taken, and no one can dispute that they are no longer able to live in the land where they unquestionably belong.

Much has been written about the partition of Kashmir and its protagonists (the principal operators) on both sides of the argument. What is interesting and noticeable to me is that it

seems as though Pandit Kak was made a much vilified scapegoat for the disastrous actions of others. My father was a civil servant who was chosen by the Maharaja to be his Prime Minister because of his attributes of being an educated, accomplished and able administrator.

He was trapped between the dithering Maharaja and the conflicting position of Mountbatten, Gandhi and Nehru. The best advice he could render, given the circumstances, was to opt for an independent State and then, after the calmer winds prevailed, accede to India. On one of our daily walks, when he was in exile in Kasauli, I remember something he said to me which made a deep impression on me, and which I have remembered to this day. He was a deeply spiritual man, and an exceptionally open-minded but private, sentimental person, that few people got to know in his entirety. The following he said to me in connection with the accusations that he was pro-Pakistan, "Let them say what they say. Finally, I have to face my Maker." He made it amply clear to me that he never, even remotely, considered Pakistan as an option for his countrymen of Kashmir. RCK was very cognizant of the fact that he was a Kashmiri Pandit and there was no future for Kashmiri Pandits in a Muslim Pakistan, Mr. Jinnah's claims to secularism notwithstanding. He always felt that there was an ethos of being a Kashmiri that was unique and special to the entire community, which few politicians understood at that time.

In an editorial in July 1947, "Advice to Mr. Kak", the Tribune (published from Lahore) complimented RCK for the way he has "kept the administration going with unexampled smoothness in most difficult times." They also believed that, "He has the real good of the people at heart." The paper's advice is that, "He should release Abdullah and join the Indian Union, and his name will be written in Indian history in letters of gold."

Of course, my father did not take the paper's advice, but the more pertinent question is why didn't the paper proffer the

advice to the Maharaja? Sheikh Abdullah's arrest was ordered by RCK because, as Prime Minister, law and order was his responsibility but it was done at the behest of the ruler. Had the Maharaja ordered the release of Sheikh Abdullah, he would have been released, but the Maharaja issued no such order.

Given the situation, my father decided it was best to resign his position, which the Maharaja readily agreed to. In August 1947, after his return from Delhi where he met all the concerned people (including Nehru), RCK suggested to the Maharaja that since he does not seemingly enjoy his confidence, maybe he should relinquish his office. The Maharaja did not respond. Over the next few days RCK did not get to see the Maharaja and was informed that he was going on a brief holiday till Sunday. On Monday, 11th August, when RCK reached his office at 9:30 a.m. he was given a letter from the Maharaja stating that he felt that RCK had lost the confidence of various parties in the State and therefore he was permitted to retire.

Ordinarily, this would have been closed a chapter for RCK. He felt it was best to be out of Kashmir for a while. Thinking it to be polite, he sent a note to the Maharaja about his intention.

There was no private or official response to this note. However, on the evening of September 14th, a notice was served on him stating that an enquiry under the Public Servants Enquiries Act will be held on September 24th to enquire into various complaints against him. RCK responded to the new PM that he would not participate in the proceedings which he considered likely to prejudice the interests of the State and the prestige of the Ruler, noting that the Maharaja had "permitted" him to retire with "regret" and had said, "I hope you will enjoy your well-earned rest."

RCK along with his wife and daughter were escorted to the airport by Gen. Scott on September 16th. For one reason or other, the flight did not take off from Srinagar that day (and

was detained the next day as well). That night came the order of detention on the grounds that his going out of State would be prejudicial to the relations of the State with other Governments.

On September 21st, Gen. Scott called to say that he had been authorized to say the detention order did not apply to the other members of the family. My mother and I were allowed to leave and we left for Delhi on 22nd September.

While in Delhi, my mother met several people in order to clear RCK, Sardar Patel being one of them. She thought he was friendly, very kind and attentive, and he also said, "I always had told him (RCK) that he should get out of Kashmir." It does seem that Sardar Patel was all along in the know of the conspiracy hatched against RCK in the turmoil.

The fabricated case against RCK was not going anywhere for lack of evidence of any crime. The British, well aware of what had transpired, pressured Nehru to be done with this affair. Nehru wanted it off his own plate and, in turn, pressured Sheikh Abdullah. The State eventually released RCK but on condition of externment.

My father was not allowed to visit Kashmir, unless he asked for permission. That, on the principle of the matter, he never did. Once again, I remember his telling me in Kasauli, that he was born and bred and belonged to Kashmir, and had served it with his sweat and blood. He was not ready to ask for permission to go to a place where he intrinsically belonged. Hence he, my mother and I lived in Kasauli, from 1953 onwards for many decades.

RCK's return to Kashmir from his exile was a long drawn out legal battle. An eminent lawyer had been approached to take up his case. He, however, declined as he did not want to get on the wrong side of the powers-that-were. Eventually, my uncle, RCK's elder brother Pandit Amarnath Kak (a prominent lawyer, settled in Gwalior after Partition) took on the case, and won it for his brother. The externment order was revoked, but

RCK was denied his pension (which he had earned as a civil servant) for the 12 years he was in exile. His brother advised him to accept the terms, and receive the pension from 1959 onwards. "I will do it, but we will be fighting another ten years," was how he summed up his advice.

My father was an administrator who did not believe in using his position in nepotistic ways. He was a learned, very loving and caring and simple man of few needs, but with principles. He did not, in any way, enrich himself through the favours of the Maharaja during his tenure as the Prime Minister. He had been offered a jagir by the Maharaja a year earlier which he refused. An ex-police chief of Kashmir once recalled that once (when he was a young police officer) he bent over to tie my father's shoelaces and was quickly brushed aside with the words, "Young man, you are police officer, it is not your job to tie the shoelaces of your superiors."

In some places it is mentioned that RCK who, after the death of his first wife, married an Englishwoman (Mrs. Margaret Kak) opted for an independent Kashmir as he was influenced by what the British thought, maybe because he wanted to carve a fiefdom for himself (so preposterous). I strongly need to mention that my mother was an intelligent, most adaptable and a most modest and retiring person. It is true that she attended some official functions either at the Palace or at the British Resident's place, but for the most part she kept herself out of the affairs of the administration, and was fully involved in the family. Even RCK was not given to staying over at the palace for hobnobbing with the Maharaja. He would, like any other civil servant, return home to his family after the day was done. He well understood the folly of having a drink or two with the courtiers, and abstained from that propensity. She was certainly a good listener, but far from being an advisor, as has been insinuated in some comments.

In short, Pandit Kak was a man of discipline, of learning, principle and character. A scholar in Persian and Sanskrit, an

archaeologist and also a 'son of the soil', he had a deep sense of the Kashmiri culture and its ethos. He truly thought only of his people and his beloved Kashmir that was his own homeland and the homeland of his ancestors.

Lila Bhan

Excerpts from photocopy of India Office Library and Records RCK Paper

COPY OF NOTE BY R.C. KAK.

JAMMU AND KASHMIR STATE IN 1945-47.

DILEMMA OF ACCESSION. THE MISSING LINK IN THE STORY.

I.

The question of accession was posed to the Jammu and Kashmir Government on two different occasions and under two two different sets of conditions. The reaction of the Kashmir Governemtn was the same in both cases, viz that it did not wish to accede, but would be willing to enter into a stand-still agreement in regard to the matters to which such agreement might be applicable.

2. The foreign relations of the State were a subject within the portfolio of the Prime Minister and his views, subject to the approval of the Maharaja, constituted the current foreign policy of the State. In regard to accession the views of the Prime Minister and the Maharaja coincided, though not for identical reasons.

3. The Maharaja of Jammu and Kashmir at the time of the partition of India was His Highness Maharaja Harisingh. The Prime Minister from 30th June 1945 to 11th August 1947 was Pandit Ramchandra Kak.

4. The first reference from the Government of India inviting the views of the State on the subject of accession was received late in ~~1947~~ 1946 after the Cabinet Mission had completed their consultations with the Government of India and the Indian leaders at Delhi. At this time the issue of partition had not arisen except as a remote contingency, and accession was envisaged only with reference to the newly to-~~be created~~ be-created Dominion of India.

5. In the following year, after Lord Mountbatten's assumption of office, when decision had been taken with regard to the partition of India into two dominions, the alternatives posed were whether the State would accede to India or to Parkistan.

6. As mentioned above, the State's reply on both occasions was the same; on the latter occasion, stand-still arrangements being proposed with both Dominions in respect of the spheres in which the State's administrative arrange-ments, e.g. the running of post offices, were inter-connected with different areas now to be incorporated within India or Pakistan.

7. So far as Pandit Ramchandra Kak was concerned, in 1946 the decisive factor which influenced him in holding the view he had on accession was the attitude of the Indian National Congress, in regard to the affairs of the State.

8. During the preceding eight years, the Congress had boosted Sheikh Abdullah. Indeed it may be said that the Congress had identified itself with Sheikh Abdullah and lent its great weight of authority to his agitation against the State Government. The Congress leaders including Pandit Nehru, Maulana Azad, Khan Abdul Ghaffar Khan and others paid visits to the State, participated in the deliberations and demonstrations of the National Conference. These later culminated on certain occasions in breaches of the peace which caused considerable embarrassment to the State Govern-ment and deep resentment amongst those sections of the people who had not thrown in their lot with Sheikh Abdullah. The climax came when Sheikh Abdullah was arrested in May 1946. Telegrams were sent to the Maharaja and the Kashmir Prime Minister by top Congress leaders demanding his release. Several highly coloured and vituperative state-ments regarding the happenings in the State were published

The factual inaccuracy of the allegations contained in these statements was promptly and publicly pointed out by the Kashmir State Government. Then Pandit Nehru decided to pay a personal visit to the State, to arrange for the defence of Sheikh Abdullah who was being put up for trial on charges of sedition. The Kashmir Government had alread communicated to the Government of India that, in view of the excitement prevailing in the State, it would be most undesirable for Pandit Nehru to come to Kashmir at that time, and that if he persisted, it would be the duty of the Kashmir Governmetn to prevent his proceeding to Srinagar.

9. Pandit Nehru came, accompanied by a number of people and was told at the border post at Kohala that he would not be allowed to proceed to Srinagar. He was detained in the Dak Bungalow at Muzaffarabad. He was, however, free to return to Delhi or to go anywhere he liked outside the State and a State car was placed at his disposal for this purpose. The entire Dak Bungalow was reserved for his party and such facilities as were possible were provided by the State during their stay. To facilitate communication between Pandit Nehru and the Congress Leaders at Delhi, he was later taken to Uri and was lodged in the Dak Bungalow there. A new telephone line was laid and a telephone installed for this purpose. After several talks with Congress colleagues, Pandit Nehru decided to return to Delhi. Transport arrangements for the return journey by road to Rawal-pindi and thence by special plane were made and provided by the State.

10. Distinguished advocates from India, members of the Congress, were deputed for Sheikh Abdullah's defence, including Mr Asaf Ali who remained in Kashmir during the whole period the trial was in progress. Simultaneously, attempts were made by the Congress leaders to bring pressure on the Kashmir Govern-ment with the object of securing Sheikh Abdullah's release.

11. Pandit Kak was requested to meet Sardar Patel at Bombay. He went and met him three times at Mr Dahyabhai Patel's flat. At the last of these meetings, Mahatma Gandhi was present. Both Sardar Patel and Mahatma Gandhi impressed on Pandit Kak how prudent it would be for him to arrange the release of Sheikh Abdullah. Mahatma Gandhi said that such was the importance that Pandit Nehru attached to his relations with Sheikh Abdullah that "he would be prepared to lay his life down for him".

12. The subsidiary point raised at the last meeting with Sardar Patel was the removal of Pandit Nehru's previously prevented visit to Kashmir. Pandit Kak undertook to make this possible, and to explain the position to the Maharaja so far as Pandit Nehru's visit to Kashmir was concerned. Pandit Nehru did in fact later (end of July 1946?) visit Kashmir and he was given permission to see Sheikh Abdullah. In fact, he saw him daily at the place of his detention so long as he was in Srinagar.

13. Later, the Working Committee of the Congress - or was it the A.I.C.C.? - passed a resolution condemning the Kashmir Government and appointed a Commission comprising Mr Jairamdas Daulatram and Mr Sri Prakash to hold an enquiry with regard to the happenings in connection with Sheikh Abdullah's agitation, arrest, trial and conviction. The Kashmir Government refused to acknowledge the authority of the Congress to appoint such a Commission which consequently was not appointed.

14. Then Sardar Patel wrote a letter to Pandit Kak, offering to pay a visit to Kashmir to effect a settlement. While welcoming Sardar Patel, Pandit Kak informed him that so far as the processes of law were concerned, the Government would be unable to interfere and, therefore, in regard to Abdullah's release, there could be no question of a settlement derived from an executive over-riding the verdict of the Court. Sardar Patel ...

of accession was posed to the Kashmir Government in 1946, and the Kashmir Government's decision not to accede was communicated to the Government of India through the Resident. It may, however, be stated that notwithstanding the attitude of the Congress in regard to the Kashmir Government, the latter had in a written note handed to the then Secretary of the State for India, Lord Pethick Lawrence, during the Cabinet Mission's visit to Kashmir in April 1946, emphatically and unequivocally expressed their view that the British Government should forthwith transfer power in India to the Indian National Congress.

16. Sheikh Abdullah's detention without trial since 9th August 1953 viewed against the background of the events of 1946, is not without an element of irony- the more so, as the ruling party in India and its leaders are the same as those who persistently tried for his release and transfer of power to him in 1946-47.

17. With the arrival of Lord Mountbatten in India as Governor General and Crown Representative, and the decision to partition India, the Kashmir Government's feelings with regard to non-accession became more pronounced. What had previously been merely a matter of choice, capable of being revoked when conditions changed, now became a matter of necessity. Kashmir was now asked, not merely as before to communicate its decision with regard to accession, but to state whether it would accede to India or to Pakistan.

18. Lord Mountbatten visited Kashmir in June 1947 with the specific object of getting a decision from the Maharaja to accede. He had a talk with Pandit Kak on that occasion and subsequently in New Delhi in the following month. On both these occasions, he laid emphasis on the admissibility of and the advantages accruing from accession. He repeatedly stressed that the States would in no way be adversely affected, that the Rulers would, in the new set-up, have to function as constitutional monarchs, but that would certainly not be to their disadvantage. As he put it, he was by birth, by up-bringing, by conviction, a believer in constitutional monarchy. Pandit Kak asked him point-blank to state as to which Dominion he advised Kashmir to accede. Lord Mountbatten, avoiding the direct reply, said, ''That is entirely for you to decide. You must consider your geographical position, your political situation and the composition of your population and then decide.'' Kak rejoined, ''That means that you advise us to accede to Pakistan. It is not possible for us to do that; and since that is so, we cannot accede to India.'' In other words, since Kashmir would not accede to Pakistan, it could not accede to India.

19. Lord Mountbatten asked Pandit Kak whether he had seen Mahatma Gandhi and Mr Jinnah. He replied in the negative. On this, Lord Mountbatten advised that he should see and have a talk with Mr Liaquat Ali Khan, who was that day lunching with Lord Ismay. Pandit Kak declined to do so and said that he would, if necessary, see Mr Jinnah. As regards Mahatma Gandhi, he said he had not seen him recently, but he had already seen Sardar Patel and talked to him and explained the policy of the State with regard to accession. Lord Mountbatten, however, insisted [illegible] should see Mahatma Gandhi and himself arranged for [illegible] Kak's meeting him on the following day.

20. Lord Mountbatten finally asked [illegible] whether he had met Mr V.P. Menon, whom he [illegible] very able and knowledgeable person. The [illegible] the negative, he sent for Mr Menon, and after [illegible] them to eachother, left the two to talk things [illegible] Kak had a lengthy and frank discussion with [illegible] he was glad to find quickly [illegible]

Excerpts from scanned copy of original RCK Paper
received from Pandit Kak's daughter Smt. Lila Bhan

I feel considerable delicacy in brining this matter to your Highness notice, and but for what came to my knowledge through the courtesy of Sardar Patel I would still have been hesitant in referring to these activities which far from doing any good are in fact doing harm."

Mahatma Gandhi reached Srinagar two or three days after this note was submitted. The note was shown to him by Pandit Kak. His comment on xxxxixk/it was "No one could be expected to do more".

∠reading

∠horns

17. The Maharaja was now in the xxxxx/of a delimma. He has to choose between his Swami and his Prime Minister. Inevitably, he chose the Swami.

18. Had the Maharaja confined himself to the single step of removing the Prime Ministe , things might not have gone quite as badly as they did. However, the Swami's appetite was xxxxxxxx whetted and he could not remain satisfied with what he had achieved. The Maharaja also, once the initial step was taken could not hold his hand. They decided on a wholesale change in the administration and as mentioned above, removed a majority of experienced officems, replacing them by others of little experience and ability, but who, in their view, were more loyal to them. Loyalty is a great virtue, but as the Maharaja soon found, it does not compensate for lack of ability.

19. On the 25th October night, the Maharaja left Srinagar as a refugee. The Swami was also in his train, but in the course of the journey, on the way to Jammu, they finally parted company. It was the end of an association which had cost xx the Maharaja dear.

VIII

<u>EPILOGUE</u>

1. The original idea of Kashmir being an xxxx independent entity is by no means extinct even now. Notwithstanding all that has happened since August 1953, Kashmir still enjoys a far greater degree of autonomy than any other State in India, and India has still xxxxx to provide financial assistance to it to keep it solvent. The Constitution of India does not ipso facto apply to Kashmir, which has its own Constituent Assembly and is framing its own separate constitution. India's supervision over disbursement of the funds she provides is nominal; legislation passed by the Indian Parliament still specially enacts for its application to the Kashmir State or otherwise, thereby perpetuating and legalising the distinction between Kashmir and the rest of India. Kashmir holds elections independently of Indian elections. She elects her own Head of State, while Uttar Pradesh and Bombay xx and States with many times her population and revenue have their Heads nominated and appointed by the President of India. Kashmir is the only State in Indi which has Urdu as its official language, as in Pakistan.

Contd ... page 20

2. The curious tangle with regard to Kashmir is not likely to be resolved until there is a settlement between India and Pakistan. The moment the two countries agree, no matter what they agree on, the dilemma from which originate the special terms accorded to Kashmir will automatically cease to exist and Kashmir as a whole, or such part of it as will remain with India will automatically fall in line with the rest of the country both in regard to the character of its administration as well as in regard to the responsibilities, obligations, rights, and privileges of its people.

3. It need hardly be mentioned that, were a plebiscite to be held, it would be nothing short of a miracle, if the result went in favour of India. Strange though it may seem, it has taken India years to realise this. Officially it is even yet not admitted. Not much intelligence is required to appreciate the fact that once the decision had been taken to set up Pakistan, the result, wherever reference to public opinion might specifically be made, would almost inevitably be that Hindus would vote for India and Muslims for Pakistan. It is one thing for a person to acquiesce in a given situation and quite another thing for him to take a deliberate step to determine his choice, particularly in a matter where he feels or is made to feel that his religious susceptibilities are involved. The referendum in North/West Frontier Province is a case in point, and the exodus of non-Muslims from West Punjab and East Bengal and of Muslims from East Punjab and West Bengal though no referendum took place there, illustrate the same basic fact. This position of uncertainty will continue so long as plebiscite is a live issue.

4. The failure of the Congress and, therefore, of the Government of India to find a solution for the Kashmir problem is due to its refusal to face the facts of the situation. Having conceded Pakistan, it is scarcely convincing to say that we are fighting the two nation theory in Kashmir. The two-nation theory is from first to last absurd. Nevertheless Pakistan came into being with the consent of the Indian National Congress on the basis of this theory. Therefore whatever inconsistencies and absurdities underline the theory for practical purposes, it is there and has to be reckoned with. The existance of a large Muslim population in India does not essentially alter the fact.

5. Pandit Kak is still of opinion that his original idea of a Jammu & Kashmir State not politically integrated with either India or Pakistan, but friendly with both would in 1947 not only have been helpful to both the countries, but would in due course probably in fact certainly in given circumstances - have proved of greater advantage to India than to Pakistan. Moreover, it is undeniable that even with its accession to India, Indian Kashmiris for practical purposes independent - much more so than any other State, and the Constitution of India has made statutory this distinction between Kashmir and the other units composing India.

Print copy of the original document
received from Smt. Lila Bhan

Jammu and Kashmir State in 1946–47
Dilemma of Accession—The Missing Link in the Story

(scan uploaded on www.vigilonline.com; some obvious typing errors have been corrected in the print copy—however, the uploaded scan is the authentic version)

I.

The question of accession was posed to the Jammu and Kashmir Government on two different occasions and under two different sets of conditions. The reaction of the Kashmir Government was the same in both cases, viz., that it did not wish to accede, but would be willing to enter into a stand-still agreement in regard to the matters to which such agreement might be applicable.

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5. In the following year, after Lord Mountbatten's assumption of office, when decision had been taken with regard to the partition of India into two dominions, the alternatives posed were whether the State would accede to India or to Pakistan.

6. As mentioned above, the State's reply on both occasions was the same; on the latter occasion, stand-still agreements being proposed with both Dominions in respect of the spheres in which the State's administrative arrangements, e.g. the running of Post and Telegraph offices, Telegraph and telephone communications outside the State were inter-connected with different areas now to be incorporated within India or Pakistan.

7. So far as Pandit Ramchandra Kak was concerned, in 1946 the decisive factor which influenced him in holding the view he had on accession was the attitude of the Indian National Congress, in regard to the affairs of the State.

8. During the preceding eight years, the Indian National Congress had boosted Sheikh Abdullah. Indeed it may be said that the Congress had identified itself with Sheikh Abdullah and lent its great weight of authority to his agitation against the State Government. The Congress leaders, including Pandit Nehru, Maulana Azad, Khan Abdul Ghaftar Khan and others paid visits to the State, participated in the deliberations and demonstrations of the National Conference. These later culminated on certain occasions in breaches of peace, which caused considerable, embarrassment to the State Government and deep resentment amongst these sections of the people of the State, who had not thrown in their lot with Sheikh Abdullah. The climax came when Sheikh Abdullah was arrested in May 1946. Telegrams were sent to the Maharaja and the Kashmir Prime Minister by top Congress leaders demanding his release. Several highly coloured and vituperative statements regarding the happenings in the State were published in the Indian press, following Sheikh

Abdullah's arrest. The factual inaccuracy of the allegations contained in these statements was promptly and publicly pointed out by the Kashmir State Government. Then Pandit Nehru decided to pay a personal visit to the State, to arrange for the defence of Sheikh Abdullah, who was being put up for trial on charges of sedition. The Kashmir Government had already communicated to the Government of India that, in view of the excitement prevailing in the State, it would be most undesirable for Pandit Nehru to come to Kashmir at that time, and that if he persisted, it would be the duty of the Kashmir Government to prevent his proceeding to Srinagar.

9. Pandit Nehru came, accompanied by a number of people and was told at the border post at Kohala that he would not be allowed to proceed to Srinagar. He was detained in the Dak Bungalow at Muzaffarabad. He was, however, free to return to Delhi on to go anywhere he liked outside the State and a State car was placed at his disposal for this purpose. The entire Dak Bungalow was reserved for his party and such facilities as were possible were provided by the State during their stay. To facilitate communication between Pandit Nehru and the Congress leaders at Delhi, he was latter taken to Uri and was lodged in the Dak Bungalow there. A special telephone line laid and a telephone installed for his convenience. After several talks with his Congress colleagues, Pandit Nehru decided to return to Delhi. Transport arrangements for his return journey by road to Rawalpindi and thence by special planes were made by the State.

10. Distinguished advocates from India, members of the Congress, were deputed for Sheikh Abdullah's defence, including Mr. Asaf Ali, who remained in Kashmir during the whole period the trial was in progress. Simultaneously, attempts were made by the Congress leaders to bring pressure on the Kashmir Government with the object of securing Sheikh Abdullah's release.

11. Pandit Kak was requested to meet Sardar Patel at Bombay. He went and met him there three times at Mr. Dahyabhai Patel's flat on the Marine Drive. At the last of these meetings, Mahatma Gandhi was present. Both Mahatma Gandhi and Sardar Patel impressed on Pandit Kak how prudent it would be for him to arrange the release of Sheikh Abdullah. Mahatma Gandhi said that such was the importance that Pandit Nehru attached to his relations with Sheikh Abdullah that "he would be prepared to lay down his life for him".

12. The subsidiary point raised at the last meeting with Sardar Patel—Mahatma Gandhi being present—was the renewal of Pandit Nehru's previously prevented visit to Kashmir. Pandit Kak undertook to make it possible, and to explain the position to the Maharaja so far as Pandit Nehru's visit to Kashmir was concerned. Pandit Nehru did in fact later (end of July 1946) visit Kashmir and he was given permission to see Sheikh Abdullah. In fact, he saw him daily at the place of his detention so long as he was in Srinagar.

13. Later, the Working Committee of the Congress or was it the A.I.C.C. passed a resolution condemning the Kashmir Government and appointing a Commission comprising Mr Jairamdas Daulatram and Sri Prakasa to hold an inquiry with regard to the happening in connection with Sheikh Abdullah's agitation, arrest, trial and conviction. The Kashmir Government refused to acknowledge the authority of the Congress to appoint such a Commission which consequently was not appointed.

14. Then Sardar Patel wrote a letter to Pandit Kak, offering to pay a visit to Kashmir to effect a settlement. While welcoming Sardar Patel, Pandit Kak informed him that so far as the processes of law were concerned, the Government would be unable to interfere and therefore, in regard to Abdullah's release, there could be no question of a settlement derived from an executive order overriding the verdict of the court. Sardar Patel did not come to Kashmir.

15. It was against this background that the problem of accession was posed to the Kashmir Government in 1946, and the Kashmir Government's decision not to accede was communicated to the Government of India through the Resident. It may however be stated that notwithstanding the attitude of the Congress in regard to the Kashmir Government, the latter had in a written note handed to the then Secretary of the State for India, Lord Pethick Lawrence, during the Cabinet Mission's visit to Kashmir in April 1946, emphatically and unequivocally expressed their view that the British Government should forthwith transfer power in India to the Indian National Congress.

16. Sheikh Abdullah's detention without trial since 9th August 1953 onward viewed against the background of the events of 1946, is not without an element of irony—the more so, as the ruling party in India and its leaders are the same as these who persistently tried for his release and transfer of power to him in 1946–47.

17. With the arrival of Lord Mountbatten in India as Governor and Crown Representative, and the decision to partition India, the Kashmir Government's feelings with regard to non-accession became more pronounced. What had previously been merely a matter of choice, capable of being revoked when conditions changed, now became a matter of necessity. Kashmir was now asked, not merely as before to communicate its decision with regard to accession, but to state whether it would accede to India or to Pakistan.

18. Lord Mountbatten visited Kashmir in June 1947 with the specific object of getting a decision from the Maharaja to accede. He had a talk with Pandit Kak on that occasion and subsequently in New Delhi in the following month. On both these occasions, he laid emphasis on the advisability of and the advantages accruing from accession. He repeatedly stressed that the States would in no way be adversely affected, that the Rulers would in the new set up have to function as

constitutional monarchs, but that would certainly not be to their disadvantage. As he put it, he was by birth, by upbringing, by conviction, a believer in constitutional monarchy. Pandit Kak asked him point-blank to state as to which Dominion he advised Kashmir to accede. Lord Mountbatten, avoiding the direct reply, said "That is entirely for you to decide. You must consider your geographical position, your political situation and the composition of your population and then decide". Kak rejoined "That means that you advise us to accede to Pakistan. It is not possible for us to do that; and since that is so, we cannot accede to India". In other words, since Kashmir would not accede to Pakistan, it could not accede to India.

19. Lord Mountbatten asked Pandit Kak whether he had seen Mahatma Gandhi and Mr. Jinnah. He replied in the negative. On this, Lord Mountbatten advised that he should see and have a talk with Mr. Liaquat Ali Khan, who was that day lunching with Lord Ismay. Pandit Kak declined to do so and said that he would, if necessary, see Mr. Jinnah. As regards Mahatma Gandhi, he said he had not seen him recently, but he had already seen Sardar Patel and had talked to him and explained the policy of the State with regard to accession. Lord Mountbatten, however, insisted that he should see Mahatma Gandhi and himself arranged for Pandit Kak's meeting him on the following day.

20. Lord Mountbatten finally asked Pandit Kak whether he had met Mr. V.P. Menon, whom he described as a very able and knowledgeable person. The reply being in the negative, he sent for Mr. Menon, and after introducing them to each other, left the two to talk things ever. Pandit Kak had a lengthy discussion with Mr. Menon, who, he was glad to find, quickly appreciated the reasons promoting the State's decision as regards accession. They parted on the understanding that Mr. Menon would visit Kashmir soon after the 15th of August

for few days, and that then they would consider the future in so far as the security of the State and the arrangements necessary to ensure that security were concerned.

21. The meeting arranged between Mahatma Gandhi and Pandit Kak took place and Pandit Kak explained to him the policy of the Kashmir Government in the same terms in which he had explained it to Sardar Patel and Lord Mountbatten, Pandit Kak saw Mr. Jinnah also, and had a long talk with him. Mr. Jinnah advised him to accede to Pakistan and stated that Kashmir, by immediate accession would get far better terms from Pakistan than she was likely to get later. On being told that the State's decision not to accede was definite, Mr. Jinnah said that so far as he was concerned, he was prepared to concede this was an option which could be exercised by the State and so long as the State did not accede to India, he would not mind if it did not accede to Pakistan.

22. Pandit Kak also saw Pandit Nehru for a few minutes, but had no particular talk with him as he (Nehru) was pressed for time, having to keep a dinner engagement with the Viceroy almost immediately. These meetings took place in Delhi on various days between the 23rd and 27th July 1947.

23. On his return to Srinagar, Pandit Kak conveyed to the Maharaja all that had happened at New Delhi and sent him a note in confirmation of what he had told him verbally. Pandit Kak relinquished the office of Prime Minister on 11th August 1947.

24. As stated in the beginner, there was no difference of opinion between the Maharaja and Pandit Kak with regard to the policy of non-accession, though the reasons which either had for holding their opinions were not identical, particularly in so far as accession after the partition of India was concerned.

25. Pandit Kak, however, was fully aware of how the Maharaja's mind was working. So, when things began to go

badly for the State towards the end of August 1947, he was not surprised to find the Maharaja making arrangements to keep him in Kashmir, fearing lest on going out he might expose him and his real aims. Trumpery charges were fabricated against him, and the Maharaja instituted a commission of inquiry. When, despite this, Pandit Kak made arrangements to leave Srinagar, an order of detention was passed against him on the ground that "his leaving the State would be prejudicial to the State's reactions with other Governments". This persecution was initiated by the Maharaja to mark the discrepancy between his real intentions and what he wished the congress, and those elements inside the State which urged immediate accession to India, to believe. It was later carried on by Sheikh Abdullah, not it would seem from any motive of his policy, but rather as a convenient method of paying off old scores.

26. So long as it was thought that India would be one single unit, Pandit Kak's objection to accession was due to the identification of the Congress with Sheikh Abdullah, and their refusal to see any other point of view than his. Top Congress leaders insisted after the arrest of Sheikh Abdullah in May 1946, not merely that he should be released forthwith, but that a new constitution should be drafted for the State, with their advice, and power transferred to Sheikh Abdullah. This was obviously a position which the State could not accept, and they expressed their view in the matter in no uncertain terms. Pandit Kak's attitude, however, had reference to the particular set of circumstances in which accession was proposed, and not to the accession pure and simple, which so far as he was concerned would have been acceptable in other circumstances.

27. But when the decision to partition India was taken, his objection to accession, taking into account Lord Mountbatten's advice in which accession to Pakistan was implicit, was of a fundamental character.

28. Whatever may be said to the contrary, the decision to partition India owed its inception to the state of discord prevailing between the two major communities, Hindus and Muslims. Accordingly India was divided in such a manner that not merely did the country fall into two parts, but provinces even districts were divided, the Muslim majority areas going to one side and similar non-Muslim areas to the other. In areas inhabited mainly by Muslims, even where Congress was in power and exercised authority as Government, as in the North-West Frontier Province, the outcome of the referendum was that the entire population all but unanimously voted for accession to Pakistan.

29. It is disingenuous to say, as was said subsequently, that Kashmir had the option to accede to either Dominion. It had that option legally—and eventually it exercised that option—but where are the captains and kings that exercised that option? The fact is and has to be recognised that, India was divided on communal grounds and the only rational course, as the Nawab of Junagadh found to his cost—was for a State, if it decided to accede, to assure itself first whether its population would support the accession. This was the principle, underlying Lord Mountbatten's advice "consider your geographical position, political situation and composition of your population, and then decide."

30. In the case of Kashmir, with an extensive border running with Pakistan and a population of 76 percent Muslims, the only safe and possible course, short of acceding to Pakistan, was, in the circumstances then prevailing, to remain outside the arena, or in current phrasology, outside the orbit of power blocs. To achieve this, however, it was essential so to act that it was obvious to all, friends and foes alike, that the State's policy was genuine and that it really meant what it said. It would have paid both India and Pakistan to have come to an understanding between themselves, at any rate, the nine weeks

that elapsed between the 15th August 1947, and the tribal raids in October, that no inducement he held out or pressure exercised to bring Kashmir within the orbit of either the one or the other, and that both Governments would guarantee the security of the State from outside aggression. Events, however, developed otherwise. There were forces within the State, as well as outside from both India and Pakistan, pulling the already emasculated State Government in diverse directions. That Government had neither the will nor the ability to make a stand.

III.

31. Could Kashmir have survivied if it had not acceded? This question naturally falls into two parts, viz. survival in the political sense and survival in the economic sense. Taking the latter first; in 1947, the revenue of the State was about Rupees 5 crores 60 lakhs, out of which about a crore was expended on the army. There were gloomy forebodings expressed during the years 1943 to 1945, when Sir B.N. Rau was Prime Minister, about the imminent danger of the State economy collapsing and the State becoming insolvent. As a matter of fact Rs 10 lakhs were borrowed by Sir B.N. Rau from the Jammu and Kashmir Bank to supplement the State revenue in the Budget year 1945–46. Sir B.N. Rau relinquished office in June 1945 and Pandit Kak succeeded him. Not only did the latter succeed in paying off the liabilities and make provision for all expenditure in the Budget year 1946–47, but he succeeded in achieving a surplus of about rupees seventy seven lakhs. No doubt the State did not and could not spend on the scale it is doing now, but then it had no fairy god-mother to look up to supply its ever increasing demands. It had to live on its own resources and within its own means. This it did, and made some savings also. Today considering the vast schemes of expenditure in all under-developed countries, its own resources would be insufficient, but whose resources in such

areas are now adequate to meet all their needs? Kashmir also could gave queued up with the rest for assistance without any undue feeling of shame.

32. Security in the military sense is a matter primarily dependent on the balancing of forces internal as well as external. So far as the internal situation of the State upto August 1947 was concerned, it is on record that, notwithstanding the unprecendented political strain both within the State and the areas bordering it in the Punjab and the North West Frontier Province, the State succeeded in maintaining law and order, better than most parts of India during that year of convulsions. In the period 1945 to August 1947, the authorities had to deal with the agitation, not only of the National Conference, but also of the Muslim Conference, culminating in the arrest both of Sheikh Abdullah and Ch. Ghulam Abbas. There was also the great upheaval in the Punjab and the North-West Frontier Province, accompanied by extensive communal clashes, as a result of which thousands of Hindu and Sikh refugees sought and obtained shelter in the Kashmir State territory.

33. The inhabitants of the contiguous areas within the State territory and across the border in what was then British India were homogeneous in every way. Nevertheless, not a breath stirred within the State areas, inspite of the commotion prevailing across the border, and that, too, often actually within sight of villages on the State side. Peace within the State was firmly established, and remained so until 11th August 1947, the day on which Pandit Kak relinquished the office of Prime Minister of the State.

34. In achieving this, the State Government received no assistance from outside, indeed could receive none, since the hands of the Government of India and the neighbouring Provincial Governments were full with their own not altogether successful efforts. On one or two occasions (e.g. at

Kohala) it was indeed, on the contrary, the State forces which rendered assistance to the Punjab authorities in dealing with the disturbances in their areas.

35. As for danger from outside, admittedly the State forces could not withstand for any length of time, an organised invasion by a really powerful army. Such an army, coming from outside the Indian sub-continent, would have been in such strength and so equipped that, let alone the Kashmir State forces, neither India nor Pakistan nor both combined, with their then existing resources in men and materials could have successfully resisted it. In any case, the task of resistance in such a case would, automatically have fallen on them singly, or on both together, for their own sakes. The only other quarter from which danger to Kashmir could have arisen, would be India or Pakistan.

36. Even assuming for argument's sake, that Mr. Jinnah did not really mean what he said when he declared that so long as Kashmir did not accede to India, he would not interfere in its affairs or put pressure on it to accede to Pakistan, the very fact that he knew that the State administration was predominantly Hindu in faith and sentiment and would, therefore, the moment they felt unable to resist his pressure, immediately turn to India and invoke her aid would have deterred him from any action which was, likely to precipitate such a course. It is a matter of plain commonsense, borne out by a hundred different instances of political conduct all over the world, that the apprehension of danger acts as a greater deterrent than the danger itself. Apart from this, the internal circumstances of Pakistan and the provincial jealousies between the different units, particularly of West Pakistan, were such that if a casus belli like Kashmir which afforded them a common platform and a common slogan had not been available, Mr Jinnah would have been hard pressed in trying to keep the divergent units together. As it happened, the accession of Kashmir to

India presented Pakistan with a ready-made platform, on which they could and did unite, inspite of the inherent fissiparous tendencies. It is common knowledge that in the last nine years, whenever political or other troubles inside West Pakistan have tended to become unmanageable, the Kashmir issue has afforded a useful channel into which to divert the mass kind.

37. The prospect of Kashmir's security in the immediate future did not present so gloomy a picture in the middle of 1947 as some people seem to think.

IV.

38. In his discussions with Mr. V.P. Menon in July 1947, Pandit Kak referred to the historical background of the creation of Jammu & Kashmir State in 1846 and the parallel between those circumstances and those that prevailed in 1947. The Jammu and Kashmir State came into being after the First Sikh War. The Sikhs had been defeated, but their political power still remained largely intact. Had it not been so, it is unlikely that the East India Company would have permitted the creation of the Jammu and Kashmir State. Three years later in 1849, the Second Sikh War saw the end of Sikh power in the Punjab and from that day onwards there was scarcely any British writer of any consequence who did not deplore the short-sightedness of the East India Company in allowing the creation of the Jammu and Kashmir State. In 1846, however, the East India Company inspite of the fact that the Sikh Government had ceded Kashmir to them, found it more profitable and less expensive financially and militarily to have a semi-independent State in friendly alliance with itself behind the still turbulent Sikhs in the Punjab.

39. The Frontier between the East India Company's territories and the territories of the Sikhs was not far from the present boundary between India and West Pakistan. The East India

Company's idea was that if the Sikhs moved in hostility against the British, Gulab Singh's forces would be able to harass them from the rear. Though by themselves they might not be sufficiently strong to defeat them, or hold them in check, yet they would be strong and mobile enough to create a divesion while the British forces sustained the main attack. By annexing Kashmir in 1846, the East India Company could not only have had to sustain the frontal attack, but also would have had to maintain the long line of communication with Kashmir and would be directly responsible for its defence.

40. The parallel is obvious and needed no stressing to a person of Mr. Menon's historical knowledge. He offered to explain the position to Sardar Patel. As a result, by mutual arrangement, Pandit Kak did not attend the meeting of the Indian States' Ministers which Lord Mountbatten had called the following day to urge the States to expedite their arrangements with regard to accession.

V.

41. The question why the Kashmir State troops put little or no resistance against the raiders in October 1947, it needs an answer. When Pandit Kak relinquished office on 11th August 1947, it became clear to the people of the State that his policy and methods would now no longer be followed. Consequently, the confidence which the people had felt and by reason of which they had remained calm and untroubled when blood was flowing freely as between the two major communities in the Punjab and North-West Frontier Province, often within their own sight and hearing, was shattered. That being so, maintenance of law and order would under the new circumstances prevailing requires far greater resources than were available to the successor State Government.

42. Secondly, Pandit Kak's elimination was followed by what can only be termed the decapitation of the entire administration. The Revenue Minister was retired a few days

later; the Chief Secretary, the Chief of the Army Staff, the Inspector General of Police, the Governor of Kashmir, the Director of Civil Supplies, the Chief Engineer and other important officers, were almost immediately removed from office, and in their place were appointed people of little or no experience and some of doubtful reputation, the majority belonging to one community, the Maharaja's own. Naturally, when the shock came, there was no one in high authority willing to take responsibility and capable of taking adequate action. The new Prime Minister, an estimable old gentleman now nearly 80 years old, was not physically or mentally able to bear the strain of the strenuous events confronting him. On assuming office, he took to his bed and seldom emerged from it till he handed over charge on 15th October. He was a good man and had been loyal servant in his day, but he was not, as can be well imagined, the man to steer the Government to safety in the storm which had now begun to rage inside as well as outside. The Maharaja was hag-ridden by superstition in the person of his Guru Swami Sant Dev and was unable to make up his mind firmly in any matter.

No wonder then that the ship foundered.

VI.
Personalities: Sheikh Abdullah

Sheikh Abdullah has been in detention for over three years now on the ground, among others, as alleged, that he declined to fall in line with the general policy of India, particularly with reference to the development of a closer administrative relationship between India and Kashmir.

2. It must, however, in fairness be admitted that right from the beginning, it had never been his intention to permit such development, and he had never made any secret of his views on the subject.

As early as April 1949, in an interview he gave to Michael Davidson of the Scotsman, he stated:—

> "Accession to either side cannot bring peace.
>
> We want to live in friendship with both the Dominions. Perhaps a middle path between them with economic cooperation with each will be the only way of doing it. But an independent Kashmir must be guaranteed not only by India and Pakistan, but also by Britain, the United States and other members of the United Nations."

Again:

> "Yes, independent—guaranteed by the United Nations—may be the only solution."

On 19th April 1952, in a notable speech at Ranbirsinghpura (quoted in Two Nations & Kashmir by Lord Birdwood, page 166)

Abdullah declared:—

> "Kashmir's accession to India will have to be of a restricted nature so long as communalism has a footing on the soil of India."

Lord Birdwood continues:—

> "He continued to describe the full application of the Indian Constitution to his country as 'unrealistic, childish and savouring of lunacy'. He then returned to the theme of doubt as to whether communalism had been finally excorcised in India. He remined his audience that Kashmir had accaded in respect of three subjects only. It was a speech calculated to create a sensation without any commitment as to future intention and it certainly succeeded in its purpose."

3. As a matter of fact, nobody who had a reasonably good knowledge of the trends of political thought in Kashmir, and the ideas, ambitions, hopes and fears of the political leaders who directed these trends, could fail to realise, even before the question of Dominion Status for India entered into the realm of practical politics, that the Indian National Congress due to the

special position of influence which Sheikh Abdullah had created for himself in its councils, was shutting its eyes to the true character of his aims, and that in time to come, it would have to pay a high price for its imprudence in omitting to check his bonafides. It has to be stressed that it was not for want of being told that the Congress remained in ignorance. Attempts were made from time to time, even before 1940, to open the eyes of some of the leaders at least, but with no visible result. For whatever reasons it is conceivable that in the short run these reasons may have done them credit—they preferred to keep their blinkers on.

4. Sheikh Abdullah started his political career in 1931 as one of the two protagonists of the Muslim Conference which was professedly and unashamedly a communal body. His principal colleague was Ch. Ghulam Abbas. In the years that followed, due to the intensification of the rivalry between the two chiefs, and the fact that Ghulam Abbas was able to secure a more favoured position in the estimation of Mr. Jinnah and consequently of the Muslim League, Sheikh Abdullah and the Kashmiris who followed him, set up a rival organisation which they called the National Conference. As a matter of tactics and as a means of sacuring external support and publicity, Sheikh Abdullah appealed to Pandit Nehru's catholicity of mind by proclaiming himself and his organisation non-communal.

5. This appeal was all the more effective as it was to one who was a Kashmiri by origin, a scion of a distinguished Kashmiri family, and one who, therefore, could be approached as the natural mentor and source of inspiration by his compatriots striving against what they alleged was unbearable oppression. Pandit Nehru in his sincerity accepted Sheikh Abdullah at his own declared face value, with the result that suddenly Abdullah found himself a leading luminary in the Congress firmament and President of the All India States's

People's Conference, with the entire power and prestige of the Congress behind him.

6. Sheikh Abdullah, while taking full advantage of his new found and unearned elevation in the congress heirarchy never lost sight, however, of this original aim and objectives which remained what they had always been. He wanted absolute control over the Kashmir State administration. As the population was 76 percent Muslim, this automatically implied, however the changeover might be glossed and camouflaged in terms of democracy, the permanent subordination of the minority communities, who, therefore, barring a few who had thrown in their lot with Abdullah, were not to happy about it, the more so as they knew Sheikh Abdullah's arrogance and prejudices better than the Congress leaders, whose contacts with him were comparatively few and far between.

7. As a matter of fact, all but the most reactionary persons in the minority communities realised that the change-over, in the circumstances now prevailing throughout the world, was inevitable, and that the comparatively privileged position they had occupied hitherto could not be theirs in the future. Their real misgivings about the future arose not so much out of their fear of loss of privilege, as out of the methods of coercion and bullying adopted by the National Conference against those who differed from them including even the dissident Muslim groups. There are instances of residents in Srinagar who were unable for years to visit other parts of the town, having experienced on earlier occasions molestation and public humiliation at the hands of the strong-arm squads of the National Conference. Mirwaiz Mohmmad Yusuf, who favoured the Muslim Conference and was, therefore, persona-non-grata with the National Conference, found himself unable to preach at the mosque where he and his ancestors had preached for generations before. The same applied to the members of the minority communities who did not accept the

leadership of Shaikh Abdullah. They went always in fear and trembling. In what was called the "quit Kashmir" agitation in 1946, mobs, thousands strong, used to surround houses of respectable citizens, who had incurred the wrath of the National Conference by their non-conformity. These mobs, for hours together, terrorised the inmates, throwing stones and shouting filthy absues, not excluding the womenfolk of the house in its scope. In fact, these activities were one of the main causes which necessitated drastic action against the National Conference bosses in that year.

8. In September 1947, the Maharaja released Sheikh Abdullah before expiry of the term of imprisonment to which then he had been sentenced. His object in doing this was two fold. Firstly, he hoped to put himself right with the Congress by building up an alibi with reference to Sheikh Abdullah's arrest and trial, viz., that it was the Prime Minister (Pandit Kak) and not he who was responsible for this and for the refusal to agree subsequently to Abdullah's release. (This would, however, not have been easy, since the Maharaja himself had rejected Shri Kriplani's plea for Sheikh Abdullah's release when Shri Kriplani came to Jammu in May 1947 and spoke to the Maharaja personally about it). The Maharaja's second object was to make a deal with Abdullah by offering the National Conference a couple more ministerhsips—there being already two elected ministers out of five in the Kashmir Government and the idea was to add two more to the total.

9. Sheikh Abdullah declined and publicly declared that the future of the State would be settled by the will of the people. India and Pakistan had at this time already come into existence as separate Dominions. After announcing this, he left for Delhi.

10. It is claimed that when the raiders entered the valley, and before the Indian troops arrived, the National Conference was responsible for saving the city of Srinagar and its population

from loot and arson. In the sense that there were no communal disturbances in the city during these four or five days, the claim is factually correct. Though the raiders never entered Srinagar, the possibility of communal disturbances in the city could not be excluded, as there was no effective administration functioning. The Maharaja had already slipped away at dead of night to Jammu. His desertion on the one hand, the imminent threat of the fast-approaching raiders on the other, coupled with a total lack of any effective force to maintain order, had paralysed whatever remnants of local administration still existed. There was nothing to prevent extensive carnage and bloodshed if the restraining hands of the National Conference had not been there. Individual acts of high handedness were undoubtedly committed, but these were based on personal grounds and were not communal in character. For this, full credit is due to Sheikh Abdullah.

11. But looking at the mater from a different angle, it may be asked what could have been the position of Sheikh Abdullah vis-a-vis the Congress and India, had there been communal disturbances at this juncture in Srinagar? After all, it was India who was sending her troops to drive out the raiders. The overtures which Sheikh Abdullah had made in September 1947, to come to an understanding with him, had been turned down by Mr. Jinnah. With an armed enemy inside the country and on unarmed population at their mercy, his own future at stake, and troops from India flying in, it is not difficult to surmise what his feelings and have been at the time, and what a death blow to his hopes it would have been, had communal riots broken out at this juncture in Srinagar where the population was predominantly Muslim, and the majority supporters of his own National Conference. Indeed, it is not far from the truth to say that the myth or non-communalism set up, and to a certain extent and in certain respects practised by the National Conference, was on investment in terms of

security for themselves, in view of the fact that Sheikh Abdullah and his National Conference were totally dependent on India for their existence.

12. What Sheikh Abdullah was really gambling for and what his alliance with the Congress in effect provided, was an independent principality whose continued existence was guaranteed by the Indian armed forces and whose solvency was sacurad by the Indian treasury. There was, however, no idea of a quid pro quo from his side. He did not expect to be called to account either in respect of the internal administration of the State or the utilisation of the funds supplied to him by the Indian Government.

13. The curious thing is that despite the fact that he made no secret of his intentions, it took India no less than six years to make up its mind to face up to the true situation, viz, that Sheikh Abdullah stood only for his own aggrandisement and that he had no affection for India, and no use for her except to the extent she subserved his ends.

VII

2. Maharaja Harisingh

It has become a fashion to talk of the former Indian States as feudal and medieval-terms used by way of opprobrium and condemnation, though as a matter of fact, the medieval and feudal age in its heyday, inspired and produced many great and good things among other things that were not so good nor so great. The same applies to some extent to India States and their Rulers. Some were good, some not so good; those that were good, were not always good, nor those that were bad, always bad.

2. Maharaja Hari Singh succeeded his uncle, Maharaja Pratap Singh in 1925. In the early years of his regime, a good deal of legislation intended to provide relief to the agriculturist

classes, who form the mass of the Kashmiri people, and are mainly Muslims, was passed. The money-lending classes, largely Hindu, not surprisingly, gave the Maharaja little credit for his progressiveness. Strangely enough, he received evenless credit from Muslim political leaders, who lost no time in launching violent agitation against him.

3. Maharaja Hari Singh was also one of the first, if not the very first, authorities in India to issue directives abolishing untouchability and throwing State temples open to Harijans.

4. The Maharaja had a very quick understanding and was receptive to suggestion and advice where his prejudices were not involved. This unfortunately was, however, the case only too often. He could be unbelievably vindictive, even when he must have had glimmerings that the pursuit of his victim to the bitter end might prove as much of a catastrophe to himself as to the object of his vengeance.

5. Though on occasion generous, as a rule, he was close-fisted and inconsiderate of other people's feelings. While he expected unquestioning loyalty from all who served him or were in any way connected with him, it did not occur to him that loyalty is a two-way traffic, in that one has to give as well as to take in one's relations with other people. This, in fact, is the chief reason why even in cases where benefits flowed from him, the beneficiary seldom felt grateful for long. Added to this, there was in him a deeply ingrained streak of superstition which on occasion paralysed and petrified his natural intelligence.

6. As stated above, when the question of accession was first mooted, the State Government's reaction was that it would not accede. So far as the Maharaja was concerned, his inclination was reinforced by the faith he had in his Swami, Swami Santdev. Maharaja Pratap Singh had collected a large variety of Swamis, Gurus, Astrologers, and others claiming to hold

converse with supernatural powers. Among these this particular Swami (Santdev) enjoyed a high position, reinforced by a substantial monetary allowance. This latter was stopped by Maharaja Hari Singh on his accession, and for nearly twenty years thereafter, there was little contact between Maharaja Hari Singh and Swami Santdev. The relationship was, however, resumed in 1944 and from May 1946, the Swami was always in residence in houses within the Palace precincts or adjacent to them.

7. Such was the domination acquired by the Swami over the Maharaja, and such his reputation as the decisive influence in moulding the Maharaja's mind, that even Pandit Jawaharlal Nehru when he came to Kashmir for the second time in 1946, paid a call on him.

8. The Maharaja believed that after the departure of the British from India, he would through the potency of the Swami's supernatural powers, he able to extend his territory and rule over a much larger dominion than that already comprised in the Jammu and Kashmir State. A good deal of propaganda was being carried on in the State and in the Punjab, about the formation of what some people then called Dogristan in which it was hoped to include, besides the Jammu and Kashmir State the districts of Kangra and the States and areas now mostly included in the Himachal Padesh.

9. In June 1947, the Maharaja of Sirmur and the Rajas of Mandi and Jubbal come to Srinagar and stayed with the Maharaja as his guests. One evening the Maharaja sent for Pandit Kak and introduced him to his princely guests. He then showed him a draft agreement, in which were defined the aims and objectives of the proposed federation and the safeguards in relation to dynastic matters of the ruling families. Kak offered no comment at that time beyond asking for time to think. Next morning, however, he explained to the Maharaja how futile and impracticable such an idea was, and how utterly

unrealistic it was for anybody to imagine that the forces which had compelled the British to leave India, would allow the creation of new empire in their midst. Kak added that the utmost that one could hope for in conditions now emerging, was the survival of the Jammu and Kashmir State as already constituted and any expectation beyond that or any move in the direction contemplated by the Maharaja and his guests was sure invitation to disaster. So far as Kak was concerned, the matter came to an end there.

10. But the protagonists of the idea, that is the Swami and others, whose emissaries had spent a good deal of their time that summer at Simla at the Maharaja's expense in establishing contacts with the notables and men of influence in the surrounding areas which were proposed for amalgamation with the Jammu and Kashmir State, were deeply disgruntled and no wonder, for the Maharaja had such faith in the Swami's supernatural powers that he had already, at great cost, prepared a new crown of diamonds and emeralds for his coronation as the ruler of the new empire.

11. The cold douche administered to his hopes by Pandit Kak was, therefore, never forgotten nor forgiven, either by him or by the Swami, or by the Court favourites and hangers—on who expected to benefit from the expanded empire.

12. Though this was the major scheme to which the Swami had given his blessings, he by no means confined himself to the spacious domain of major politics, in which the expectation of tangible results was a long-term business. Having a large and non-descript following who were hungry for jobs, contracts and other benefits accruing from the Government, he constantly pestered the administration with suggestions and requests on behalf of his friends and retainers. By and large, it was not possible to meet his wishes in regard to his demands, whereupon his endeavour to get his own way in the detailed affairs of the State administration took a different direction.

13. Finding Pandit Kak as Prime Minister not amenable to his wishes and feeling that the Maharaja might perhaps jib at being directly asked to remove his Prime Minister, the Swami embarked on bringing about an understanding between himself and the leaders of the Indian National Congress, who already had their own reasons for not approving of an administration in the State, which had consistently refused to yield to coercion in the matter of Sheikh Abdullah. It is idle to speculate on how the Swami expected to make the best of both worlds, since though he wanted the aid of the Congress in effecting the removal of Pandit Kak from the Prime Ministership, he was at the same time working for the expansion of the State at the expense of India.

14. However that may be, he started sending messages to the Congress leaders. Pandit Kak's surmise is that though the Maharaja was no doubt aware of the general purport of the messages sent, since he had to pay the expenses incurred by the messengers, he was probably unaware of the exact content of each separate message. Pandit Kak, though previously, on occasion, puzzled by stray hints dropped in various quarters, finally became aware of the despatch of these messages when he met Sardar Patel in July 1947, at the time he went down to Delhi at the request of Lord Mountbatten to attend the Conference of States Ministers.

15. Sardar Patel started by showing him a copy of a letter from Khurshid Ahmad, Mr Jinnah's Personal Assistant, to Ch. Hamid Ullah Khan, then Acting President of the Jammu & Kashmir Muslim Conference. This letter apparently was in reply to a letter written by Hamid Ullah Khan to Khurshid Ahmad asking for Mr. Jinnah's advice as regards the attitude of the Muslim Conference during the forthcoming visit of Mahatma Gandhi to Kashmir. Mahatma Gandhi was to be the guest of Begum Abdullah and the idea seems to have been that the National Conference would ask the Mahatma Gandhi to

use his influence to bring about Pandit Kak's removal. Since Ch. Ghulam Abbas, the President of the Muslim Conference and some other leaders of this organisation were also at that time under detention, the suggestion seems to have been that the Muslim Conference would make common cause with the National Conference and enlist Mahatma Gandhi's good offices in this regard. Khurshid Ahmed's reply indicated that Mr. Jinnah did not approve of the proposed united front.

16. Then Sardar Patel mentioned certain facts which on his return to Srinagar, Pandit Kak communicated to the Maharaja and at his request embodied in a note he submitted on 30th July 1947. A copy of this note was simultaneously sent to Sardar Patel. This note reads as follows:—

"When I told your Highness that Sardar Vallabhbhai Patel has informed me that messages purporting to be from you had reached him, you desired that I should note down what had been said to me. The following paragraphs summarise what I was told.

"A retired officer of the State in the company of a military officer named Kaul, now on the staff of the Indian Embassy in the U.S.A., saw Sardar Patel and told him that he had been deputed by your Highness to request him to select a P.M. for you as the Maharaja wishes to get rid of Kak". On being asked whether he had brought a letter from your Highness the officer gave a reply in the negative. Sardar Patel told him that your Highness should come down to Delhi to discuss matters as Kashmir changed Prime Ministers frequently and unless further information was available no action was possible. The messenger undertook to convey this reply to your Highness. Sardar Patel added that since then he had heard nothing further on the subject from this quarter, and that when sometime after he had asked Kaul whether he had heard from his friend, the latter also replied in the negative. (From the description given to me, the messenger must have been Mr. Madan, tutor to the Yuvraj, who did go to Delhi about the middle of April last and

was heard saying thereafter that he had been sent on a special mission and also that there would soon be change of Prime Minister.

"One day Mr. Kriplani telephoned to Sardar Patel and told him that he was proceeding to Kashmir and wanted to see him. Asked when he was going, Kriplani said he would be leaving in an hour. Sardar Patel said that as he was leaving so soon and time was so short, his seeing him would not be of much use. Kriplani however came to see him and told him that he was going to Kashmir at short notice in response to a message from the Swamiji, received through Ramadhar (of the Srinagar Branch of All India Spinners Association). Actually I had felt at the time that some such understanding was behind Kriplani's visit in view of that fact that during the 36 hours he was in Jammu he saw Swamiji four times.

"Rai Bahadur Gopal Das saw Sardar Patel and told him that your Highness would be prepared to the Indian Union provided you were given an assurance by him and Pandit Nehru as regards the future. He told Gopal Das that the Congress did not want to harm the princes and that he would be willing to send a letter to that effect to your Highness. Gopal Das urged that a similar letter from Pandit Jawaharlal Nehru also would be appreciated. Accordingly Sardar Patel and Pandit Jawaharlal Nehru sent letters addressed to your Highness by hand of Ramadhar who brought them the same day he brought me Sardar Patel's latter suggesting the release of Sheikh Abdullah. Incidentally, Sardar Patel told me that the words "before it is too late" in his letter to me in connection with the release of Abdullah had reference to his impression that I might soon cease to be the Prime Minister.

"These letters to your Highness remained unanswered. But since Ramdhar want to Cheshm Shahi on the same day that he delivered Sardar Patel's letter to me, it must be presumed that he delivered these letters there.

"Only ten days or so ago, Jindra Lal, an advocate of Lahore (and a son of Sir Jai Lal, retired Judge of the Punjab High Court, who was once a member of our Board of Judicial Advisers and is now serving in some similar capacity in Patiala) told him that Your Highness wanted to appoint Sir Jai Lal as your Prime Minister and asked whether there would be any objection to this. Sardar Patel replied that no question of his having objection could arise as he did not know Sir Jai Lal. Jindra Lal then asked him whether he would give his blessing to the appointment. Sardar Patel replied that for that there was no occasion."

"Sardar Patel concluded by asking me to tell your Highness that this state of affairs was unfortunate that in these crucial days it was essential that the Maharaja and the Prime Minister pull together and if that was not possible, the situation should be brought to an end immediately. There was nothing to prevent the Maharaja from having a new Prime Minister if the present one had lost his confidence. Lack of confidence at the present juncture would result in serious injury to the interests of the State.

"I agree with Sardar Patel and I wish to add that if these messages in fact reflect the truth, then quick consequential action is obviously called for, and your Highness is aware that I am willing at any moment to request for permission to retire. On the contrary, if they do not, then also immediate effective action is necessary to put an end to this whispering campaign. It is vital to remember that a false step in any direction at this juncture will plunge the State into irremediable chaos. It follows, therefore, that agencies responsible for creating a feeling of distrust and spreading false rumours must be eliminated if the policy of the State is to be properly implemented. As I remarked in person to Your Highness, I have been greatly handicapped in the last few months owing to certain persons and group setting out on so-called missions,

doing propaganda and generally causing embarrassment. We are sailing on very stormy seas and it is necessary that all forces should be concentrated and should sail in one direction, otherwise disaster stares us in the face. I feel considerable delicacy in bringing this matter to your Highness notice, and but for what came to my knowledge through the courtesy of Sardar Patel I would still have been hesitant in referring to these activities which far from doing any good are in fact doing harm."

Mahatma Gandhi reached Srinagar two or three days after this note was submitted. The note was shown to him by Pandit Kak. His comment on reading it was "No one could be expected to do more".

17. The Maharaja was now in the horns of a dilemma. He has to choose between his Swami and his Prime Minister. Inevitably, he chose the Swami.

18. Had the Maharaja confined himself to the single step of removing the Prime Minister, things might not have gone quite as badly as they did. However, the Swami's appetite was whetted and he could not remain satisfied with what he had achieved. The Maharaja also, once the initial step was taken could not hold his hand. They decided on a wholesale change in the administration and as mentioned above, removed a majority of experienced officers, replacing them by others of little experience and ability, but who, in their view, were more loyal to them. Loyalty is a great virtue, but as the Maharaja soon found, it does not compensate for lack of ability.

19. On the 25th October night, the Maharaja left Srinagar as a refugee. The Swami was also in his train, but in the course of the journey, on the way to Jammu, they finally parted company. It was the end of an association which had cost the Maharaja dear.

VIII
EPILOGUE

1. The original idea of Kashmir being an independent entity is by no means extinct even now. Notwithstanding all that has happened since August 1953, Kashmir still enjoys a far greater degree of autonomy than any other State in India, and India has still to provide financial assistance to it to keep it solvent. The Constitution of India does not ipso facto apply to Kashmir, which has its own Constituent Assembly and is framing its own separate constitution. India's supervision over disbursement of the funds she provides is nominal; legislation passed by the Indian Parliament still specially enacts for its application to the Kashmir State or otherwise, thereby perpetuating and legalizing the distinction between Kashmir and the rest of India. Kashmir holds elections independently of Indian elections. She elects her own Head of State, while Uttar Pradesh and Bombay and States with many times her population and revenue have their Heads nominated and appointed by the President of India, Kashmir is the only State in India which has Urdu as its official language, as in Pakistan.

2. The curious tangle with regard to Kashmir is not likely to be resolved until there is a settlement between India and Pakistan. The moment the two countries agree, no matter what they agree on, the dilemma from which originate the special terms accorded to Kashmir will automatically cease to exist and Kashmir as a whole, or such part of it as will remain with India will automatically fall in line with the rest of the country both in regard to the character of its administration as well as in regard to the responsibilities, obligations, rights, and privileges of its people.

3. It need hardly be mentioned that, were a plebiscite to be held, it would be nothing short of a miracle, if the result went in favour of India. Strange though it may seem, it has taken India years to realise this. Officially it is even yet not

admitted. Not much intelligence is required to appreciate the fact that once the decision had been taken to set up Pakistan, the result, wherever reference to public opinion might specifically be made, would almost inevitably be that Hindus would vote for India and Muslims for Pakistan. It is one thing for a person to acquiesce in a given situation and quite another thing for him to take a deliberate step to determine his choice, particularly in a matter where he feels or is made to feel that his religious susceptibilities are involved. The referenedum in North West Frontier Province is a case in point, and the exodus of non-Muslims from West Punjab and East Bengal and of Muslims from East Punjab and West Bengal though no referendum took place there, illustrate the same basic fact. This position of uncertainty will continue so long as plebiscite is a live issue.

4. The failure of the Congress and, therefore, of the Government of India to find a solution for the Kashmir problem is due to its refusal to face the facts of the situation. Having conceded Pakistan, it is scarcely convincing to say that we are fighting the two nation theory in Kashmir. The two-nation theory is from first to last absurd. Nevertheless Pakistan came into being with the consent of the Indian National Congress on the basis of this theory. Therefore whatever inconsistencies and absurdities underline the theory for practical purposes, it is there and has to be reckoned with. The existence of a large Muslim population in India does not essentially alter the fact.

5. Pandit Kak is still of opinion that his original idea of a Jammu & Kashmir State not politically integrated with either India or Pakistan, but friendly with both would in 1947 not only have been helpful to both the countries, but would in due course probably in fact certainly in given circumstances—have proved of greater advantage to India than to Pakistan. Moreover, it is undeniable that even with its accession to India,

Indian Kashmiris for practical purposes independent—much more so than any other State, and the Constitution of India has made statutory this distinction between Kashmir and the other units composing India.

6. Nevertheless, had it been India's intention to take over Kashmir and treat it as a part of India like any other State, even this could have been made possible if the problem had been viewed objectively and preconceived notions has not been allowed to sway the judgement of the policy matters of India. There was no insurmountable reason the accession of the State when it came, should not have been in the terms prescribed in regard to the instruments of accession of other Indian States. There was no real reason to insist that power should simultaneously with accession be transferred to Sheikh Abdullah. The Indian Army was fighting the State's battle and the simplest thing would have been to set up a military administration as was done subsequently in Hyderabad. By the time the military operations came to an end a good many things would have automatically become clarified. Further there was no reason why Sheikh Abdullah should have been allowed to oust the Maharaja and to elect a Head of the administration in his place, while the Kashmir case was still under debate in the Security Council.

7. In any dispassionate discussion, inevitably the question will be asked how it is that the two persons who were responsible for accession of the State to India, viz. Maharaja Harisingh and Sheikh Abdullah have both been ousted, the former deposed and sent out of the State and the letter put under detention.

8. Now that India has practically decided against a plebiscite, how much stronger would her position have been, had the Maharaja, who acceded and who at the time of accession was the hereditary Ruler of the State, and accepted as the constitutional competent authority to accede, been still there to support and reinforce his accession, even though not exercising the powers he had exercised before.

9. There are important considerations which can be urged in support of the retention of Kashmir by India. In 1950, in London, Pandit Kak put one such to Mr. Gordeon Walker, then Secretary of State for Commonwealth Relations.

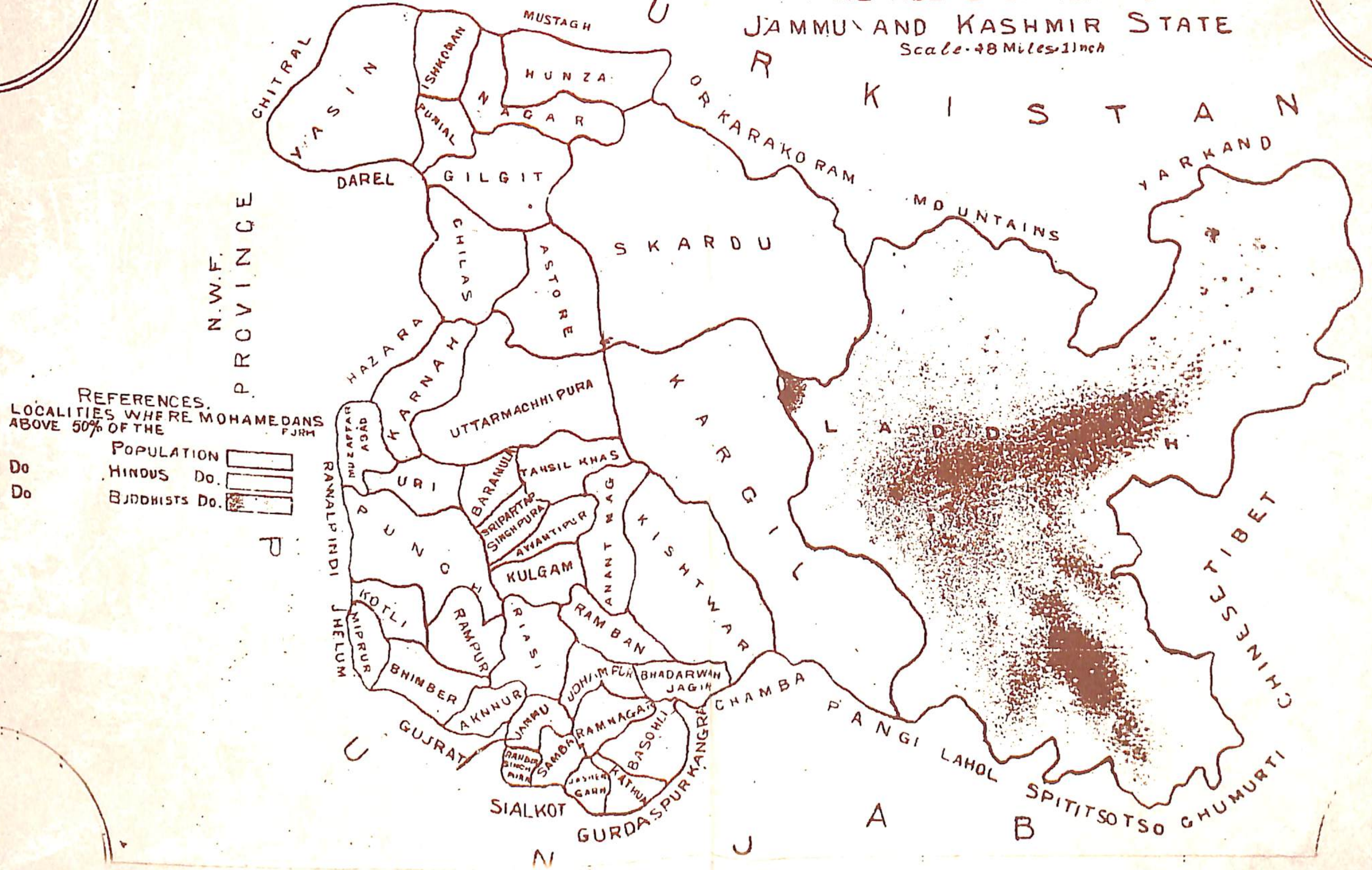
10. In reply to the question how it could be possible for India to expect to retain the Valley of Kashmir with a 95% Muslim population contiguous to the entirely Muslim area of the North-West Frontier Province he replied that it was a misunderstanding of the whole position to treat the status of the Valley of Kashmir, as affecting only the residents there in and to think of deciding its future with reference only to the composition of its population. The Valley of Kashmir had from time immemorial been an important constituent of the corpus of Hindu religious thought and ritual practice, and for that reason had since the dawn of history, enjoyed a reputation and consideration wholly independent of its political or economic importance. In considering any solution for the present impasse, it was not enough to relate the solution only to the composition of the population at present residing in the Valley, for the reason that the entire Hindu population of India was intimately concerned with the fate of Kashmir, irrespective of where their habitation might be. It was not a case of individual temples and shrines, but of the whole country as such being reverenced as Holy Land, and including within its mountain walls, the replicas of all the important holy places of the Hindus in India. The apparent inconsistency, discernable in the Indian attitude in respect of Kashmir had to be viewed in the light of these facts. Politically minded Indian leaders wedded to the ideals of democracy and secularism might find it difficult officially to base an argument on the strength of religious sentiment and background. Nevertheless religious sentiment and background, even though lacking official imprimatur, could not lightly be brushed aside. In fact, among people in whose lives religion still plays a dominant and vital role, its pull, though invisible and unexpressed, could

be ignored only at great peril. The argument based on this feeling, Pandit Kak added, would not be unique in the case of India. If the Jews could get back Israel after 2,000 years of exile, why should it be considered extraordinary if India wanted to retain Kashmir which was already in its possession.

11. It cannot too often be stressed that Kashmir's Hindu affiliations represent a living tradition going back through countless centuries to the time when the waves of migratory Aryans were still marching down the Himalayan passes into India's green and golden plains.

12. The argument outlined in the preceding paragraphs is based on solid fact, whether Indian leaders deem it practicable to use it or not. It may be conceded that such an argument goes against the trend of modern political thought, and for that reason may not be considered decisive. Nevertheless, it is an argument which must be given full weight in arriving at any final solution. Mere repetition, parrot-wise, of the dogma of decision by popular will, coupled as it is with the impossibility of that will functioning in a manner acceptable to the contesting parties, is a proceeding which is hardly likely to enhance anybody's reputation for commonsense.

13. There will be no solution to the problem of Kashmir unless the entire position is dispassionately reviewed. The trouble goes further back than the tribal raid in October 1947. Its roots lie deeper and wider. All facts of the problem must be studied and judged, not only those that fit in with one's theories and inclinations. Pros and cons must be evaluated, the cons with great care and attention. Then only can a judgement be formed and appropriate action taken.



Source:
Census of India 1921, Volume XXII Kashmir, Part I Report, Lahore 1923, p.64

Pandit Ramchandra Kak was the Prime Minister of Jammu and Kashmir during the period leading up to the State's accession to India in October 1947. He left behind a document that records the devious political game played to transfer authority over the Hindu-Buddhist kingdom of Jammu and Kashmir from Hindus to Muslims, specifically to Sheikh Abdullah. Unsurprisingly, this document is barely noticed in a minority-appeasing "secular" India, and its only known public copy is in England. In *Jammu and Kashmir Dilemma of Accession* Radha Rajan presents this document in full, analyses the communal political game of the Indian National Congress leadership and especially of Gandhi and Nehru that converted Kashmir into a festering sore in the Indian polity. Radha Rajan's book places Prime Minister Pandit Ramchandra Kak's immeasurably important first-hand narrative of the events of 1946-47 for the first time in the public domain within the country.

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